

# BRITISH ENACTMENTS

In Force in Indian States

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VOLUME V

States in Direct Relation with the Government  
of India

CHECKED 1938

- 1—Statutes in force
- 2—Acts of the Governor General in Council and of the Indian Legislature
- 3—Orders under Statutes in force
- 4—Orders under Acts of the Governor General in Council and of the Indian and Local Legislatures

- 5—Orders relating to the Courts
- 6—Acts locally applied
- 7—Local Laws
- 8—Orders under Acts locally applied
- 9—Orders under Local Laws

In Hyderabad.

COMPILED BY

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# British Enactments in Force in Indian States,

## Volume V.

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### HYDERABAD.

The Political relations between the Government of India and His Exalted Highness the Nizam are conducted through the Resident at Hyderabad.

Jurisdiction over European British subjects, Europeans, Americans and Government servants in the Hyderabad State vests, as usual, in the political authorities; but there is a special arrangement<sup>1</sup> with His Exalted Highness' Government whereby the State Courts exercise jurisdiction over European British subjects, Europeans and Americans in the employment of the State, other than those whose services have been lent by the Government of India, and a European officer of the State is appointed to be a Special Magistrate<sup>2</sup> by the Governor General in Council to deal with cases against non-official European British subjects, Europeans and Americans.

Since the transfer of Berar in 1903 to the administration of the Chief Commissioner of the Central Provinces under the Agreement<sup>3</sup> of 1902 with His Exalted Highness the Nizam, whereby it rests with the British Government to administer that area as they may deem desirable, and since the restoration to His Exalted Highness' Government in the same year of jurisdiction in the Hyderabad Contingent stations of Hingoli, Jalna, Mominabad and Raichur on their ceasing to be military stations, the Administered Areas in the Hyderabad State, which are under British Jurisdiction exercised through the Resident, are:—

The Cantonment of Secunderabad, which includes the area previously known as the Hyderabad Contingent station of Bolaram.

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<sup>1</sup> It is part of this arrangement that the Resident shall be informed of all such charges and that the Government of India reserve the right to require that in any particular case the accused shall be transferred for trial by a British Court.

<sup>2</sup> See Notification No. 579-D., dated the 26th January, 1917. Printed *infra*, page 14.

<sup>3</sup> Treaties, 4th Ed., Vol. IX, p. 174. |

The Cantonment (previously the Hyderabad Contingent station) of Aurangabad.

The Hyderabad Residency Bazars, and

The railway lands occupied by—

H. E. H. the Nizam's Guaranteed State Railway.

The Hingoli Branch Railway.

The Hyderabad-Godavari Valley Railway.

The North-West main line of the Madras and Southern Maratha Railway, and

The South-East broad gauge main line of the Great Indian Peninsula Railway.

The Kazipet-Balharshah Railway.

The Secunderabad to the British Frontier near Kurnool Railway.

The other railway lands in the Hyderabad State, over which full and exclusive jurisdiction has been ceded to the British Government, namely, those occupied by the Barsi Light Railway, by the Dhond-Manmad Branch of the Great Indian Peninsula Railway, and by the metre gauge main line of the Madras and Southern Maratha Railway, are under the administration of the Government of Bombay.<sup>1</sup>

The exercise of British jurisdiction in certain parts of the Cantonment of Secunderabad is qualified by the arrangement embodied in the following notification<sup>2</sup>:—

“No. 41, dated the 28th August, 1906.—In exercise of the power conferred by section 4 of the Cantonments Act, 1889 (XIII of 1889),<sup>3</sup> as applied to the Cantonment of Secunderabad, the Resident at Hyderabad, with the previous sanction of the Governor General in Council and with the concurrence of His Highness' Government, is pleased to declare that solely with a view to enable the Resident to exercise the Criminal and Police jurisdiction already transferred to the Government of India by His Highness the Nizam in the Resolutions of His Highness' Government in the Judicial, Police, and General Departments, Nos. 1—1-J., and 13—7-J., dated 8th October, 1904 and 14th September, 1905, respectively, in the thirteen villages hereinafter named (whose limits shall be the limits fixed by the Revenue Department of His Highness' Government), viz., Pedda Tokatta, China Tokatta, Sitarampur, Kakaguda, Maredpalli, Chakliguda, Tawaipura, <sup>4</sup>[Chandu Lal Baoli], Balamrai, Rasulpur, Trimulgherry village, Basareddiguda and Lalapett, the aforesaid villages shall be held to be included in the limits of the Cantonment of Secunderabad: Provided always that Civil Judicial, Ecclesiastical, and Revenue

<sup>1</sup> See Vol VIII, Western Division, A.

<sup>2</sup> *Hyderabad Residency Orders*, 1906, Pt. I, p. 87.

<sup>3</sup> See now the Cantonments Act, 1924 (II of 1924), as applied *infra*, p. 27.

<sup>4</sup> Substituted by Notification No. 7, dated the 14th February, 1908. *Hyderabad Residency Orders*, 1908, Pt. I, p. 24.

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jurisdiction, together with all cognate matters and all rights and privileges heretofore exercised or enjoyed by His Highness' Government or the Jagirdars, owners or occupiers of land in the aforesaid villages, and all other persons not specifically mentioned shall in no way be affected by the said inclusion, but are reserved to, and shall continue to be exercised or enjoyed therein by the said His Highness the Nizam's Government and the Jagirdars, owners or occupiers and other persons in accordance with the laws of the Hyderabad State.

The Courts in the Cantonment of Secunderabad shall at all times afford reasonable facilities for the exercise of the jurisdiction reserved."

## HYDERABAD STATE.

The following British enactments are in force in the Hyderabad State:—

- I.—Statutes.<sup>1</sup>
  - II.—Acts of the Governor General in Council and of the Indian Legislature.—*See* Appendix II.
  - III.—Orders under Statutes.—*See infra*, page 5.
  - IV.—Orders under Acts of the Governor General in Council and of the Indian and Local Legislatures.<sup>2</sup>—*See infra*, pages 5 to 12.
  - V.—Orders relating to Courts.—*See infra*, pages 13 to 22.
- 

<sup>1</sup> Not enumerated.—*See* Preface to this Edition, paragraph 4.

<sup>2</sup> The Orders under Acts of Local Legislatures as well as some of the other Orders cited do not apply outside British India but have been included for convenience of reference as they affect the States.

### III.—Orders under Statutes.

The Indian (Foreign Jurisdiction) Order in Council, 1902.<sup>1</sup>—See Appendix I.

No. 580-D., dated the 26th January, 1917.—(Jurisdiction of High Courts over European British subjects.)—See Appendix IV.

### IV.—Orders under Acts of the Governor General in Council and of the Indian and Local Legislatures.

#### INDIAN DIVORCE ACT, 1869.

*District and Additional Sessions Judge, Secunderabad, to be District Judge under the Act.*

No. 604-I., dated the 21st December, 1925.—In exercise of the powers conferred by clause (2) of section 3, of the Indian Divorce Act (IV of 1869), and in supersession of the notification of the Government of India in the Foreign Department No. 536-I. B., dated the 4th February, 1904, the Governor General in Council is pleased to appoint the officer for the time being holding the office of the District and Additional Sessions Judge, Secunderabad, to be the District Judge under the said Act within the territories of His Exalted Highness the Nizam of Hyderabad.

[*Gazette of India*, 1925, Pt. I, p. 1217.]

#### COURT FEES ACT, 1870.

*Particulars to be entered in summonses issued by Courts in the Bombay Presidency for service in Hyderabad.*

No. 3287, dated the 25th June, 1888.—The following rules framed by the Honourable the Chief Justice and Judges of the High Court under sections 20 and 22 of the Court-fees Act, VII of 1870, confirmed by the Government of Bombay and sanctioned by the Governor General of India in Council, are published for general information:—

	*	*	*
XV	*	*	*

(b) In summonses sent to the Resident at Hyderabad for service on persons residing in the territories of His Highness the Nizam the name of each person's place of residence, that

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<sup>1</sup> Various orders under the Indian (Foreign Jurisdiction) Order in Council are included under "Orders relating to Courts," *infra*, page 13.



is, the district, village and Mohalla (locality), should be given in full in the summons.

[*Bombay Government Gazette*, 1888, Pt. I, p. 597.]

#### INDIAN CHRISTIAN MARRIAGE ACT, 1872.

##### *Appointment of Marriage Registrar.*

No. 3-J., dated the 12th January, 1928.—In exercise of the power delegated to him by the Notification of the Government of India in the Foreign Department No. 3742-I. B.,<sup>1</sup> dated the 1st October, 1897, the Resident is pleased, under section 8 of the Indian Christian Marriage Act (XV of 1872), to appoint the District Magistrate, for the time being for the British Administered Areas in the Hyderabad State, being a Christian, to be a Marriage Registrar for the whole of the Hyderabad State.

[*Hyderabad Residency Orders*, 1928, Pt. I, p. 12.]

*Marriage certificates, except from Secunderabad and Aurangabad,<sup>2</sup> to be sent to the Registrar General, Madras.*

No. 3706-I. B., dated the 24th September, 1907.—In exercise of the power conferred by section 56 of the Indian Christian Marriage Act of 1872 (XV of 1872), and in supersession of the notification of the Government of India in the Foreign Department, No. 156-I. T., dated the 8th July, 1881, the Governor General in Council is pleased to appoint the Registrar General of Births, Deaths and Marriages for the Presidency of Madras for the time being, to be the officer to whom Marriage Registrars within the territories of His Highness the Nizam of Hyderabad, exclusive of the Cantonments of Secunderabad and Aurangabad, shall send the certificates mentioned in section 54 of the Act.

[*Gazette of India*, 1907, Pt. I, p. 871.]

##### *Supply of registers and forms.*

No. 632-D., dated the 16th February, 1916.—In exercise of the powers conferred by section 84 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor General in Council is pleased, so far as regards Christian subjects of His Majesty in His Highness the Nizam's Dominions, to make the following rules in regard to the supply of registers and forms to Ministers and persons licensed under sections 6

<sup>1</sup> Printed *infra*, p. 7.

<sup>2</sup> Arrangements for these Cantonments have been made under the Act as locally applied.

and 9, respectively, of the said Act and Marriage Registrars in the said Dominions:—

- I. The forms used by the licensed Ministers and persons referred to and Marriage Registrars shall correspond to those used in the Madras Presidency.
- II. The Superintendent, [Government Press],<sup>1</sup> Madras, will supply registers and forms on applications made to him through the Registrar General of Births, Deaths and Marriages, Madras. One full set of registers and forms will be supplied free by the Superintendent, [Government Press]<sup>1</sup> to each Minister licensed under section 6 and to each person licensed under section 9 to grant certificates of marriage between Native Christians and also to each Marriage Registrar. Additional registers and forms will be supplied to them by the Superintendent, [Government Press]<sup>1</sup> on payment. Marriage Registrars who are Government servants are exempt from any payment.  
[*Gazette of India*, 1916, Pt. I, p. 189.]

*Delegation of powers under sections 6, 8 and 9 to the Resident.*

No. 3742-I. B., dated the 1st October, 1897.—In exercise of the power conferred by section 86 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor General in Council is pleased to delegate to the Resident at Hyderabad the powers and functions given to the Governor General in Council by sections 6, 8 and 9 of the said Act, as regards the territories of His Highness the Nizam of Hyderabad.

[*Gazette of India*, 1897, Pt. I, p. 873.]

*Fees and Rules.*

No. 1586-E., dated the 29th August, 1892.—Printed in Appendix V.

EUROPEAN VAGRANCY ACT, 1874.

*Provisions brought into force from the 31st July, 1890.*

No. 2513-I., dated the 31st July, 1890.—Under the provisions of section 1 of the European Vagrancy Act (IX of 1874), the Governor General in Council is pleased to declare that the provisions of sections 4 to 9 (both inclusive) and of sections 19, 20, 24 and 29 of the said Act, shall come into force from this day in the dominions of His Highness the Nizam of Hyderabad.

[*Gazette of India*, 1890, Pt. I, p. 597.]

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<sup>1</sup> Substituted by Notification No. 138-I., dated the 26th March, 1924. *Gazette of India*, 1924, Pt. I, p. 253.

# INDIAN ARMS ACT, 1878.

*Exemption of certain persons in Indian States from the prohibitions and directions contained in the Act. Rules regarding the export of arms and ammunition from and their import into British India.*

No. F.-829-I-22, dated the 3rd November, 1923.—(The Indian Arms Rules, 1924.)—Printed in Appendix XXIII.

# BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

*Appointment of (a) Under Secretary to the Resident to be Registrar of Births and Deaths for the Hyderabad State, (b) Registrar General, Madras, to be Registrar General.*

No. 192-I., dated the 2nd April, 1929.—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886), and in supersession of the notifications of the Government of India in the Foreign Department, No. 2714-I., dated the 14th August, 1890, and No. 3031-I., dated the 22nd July, 1891, the Governor General in Council is pleased to appoint the Under Secretary to the Resident at Hyderabad, to be a Registrar of Births and Deaths for the whole of the Hyderabad State in respect of the classes of persons indicated in clause (b) of sub-section (1) of section 11 of the said Act.

2. For the purposes of sub-section (2) of section 24 of the said Act, the Governor General in Council is further pleased to appoint the Registrar General of Births, Deaths and Marriages for the Madras Presidency for the time being to be Registrar General for the whole of the Hyderabad State.

[*Gazette of India*, 1929, Pt. I, p. 416.]

*Registrar General, Madras, to be Commissioner to examine registers.*

No. 662-I., dated the 10th February, 1891.—In exercise of the power conferred by section 35A (1) of the Births, Deaths and Marriages Registration Act, VI of 1886, as amended by Act XVI of 1890, the Governor General in Council is pleased to appoint the Registrar General of Births, Deaths and Marriages for the time being for the Madras Presidency to be Commissioner for the purpose of examining and verifying the registers or records which have already been, or may hereafter be, sent to the Registrar General of Births, Deaths and Marriages for the Hyderabad State.

[*Gazette of India*, 1891, Pt. I, p. 89.]

*Rules for Registrars of Births and Deaths.*

No. 1406-I. B., dated the 17th July, 1916, and Erratum No. 1643-I. B., dated the 9th August, 1916.—Not re-printed.

[*Gazette of India*, 1916, Pt. I, pp. 988 and 1155.]

INDIAN RAILWAYS ACT, 1890.

*Liability of H. E. H. the Nizam's Guaranteed State Railways to taxation.*

No. 469-I. B., dated the 20th February, 1912.—In pursuance of clause (2) of section 135 of the Indian Railways Act, 1890 (IX of 1890), the Governor General in Council is pleased to declare that the Administration of His Highness the Nizam's Guaranteed State Railways shall be liable to pay, in aid of the funds of the local authority set out in the Schedule hereto annexed, the taxes specified in the second column thereof:—

*Schedule.*

Local Authority.	Taxes.
Secunderabad Cantonment . . .	House, water, water connection and latrine taxes.

The liability imposed by this notification shall not extend to those parts of the Cantonment of Secunderabad which have been excluded by the notification of the Government of India in the Foreign Department,<sup>1</sup> No. 2261-I. B., dated the 20th October, 1911, from the operation of the whole of the Cantonments Act, 1910 (XV of 1910), as applied to the Cantonment of Secunderabad.

[*Gazette of India*, 1912, Pt. I, p. 163.]

INDIAN FOREIGN MARRIAGE ACT, 1903.

*Fees.*

No. 341, dated the 11th August, 1904.—Printed in Appendix VII.

INDIAN EXTRADITION ACT, 1903.

*Offences under the Criminal Tribes Act, declared to be extradition offences.*

No. 4806-I. B., dated the 17th November, 1919.—Printed in Appendix VIII.

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<sup>1</sup> Printed *infra*, p. 513.

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*Desertion from certain units of Indian State Forces, declared to be an extradition offence.*

No. 405-I., dated the 20th June, 1928.—Printed in Appendix VIII.

*Rules under the Act except in areas under British jurisdiction.*

No. 1862-I. A., dated the 13th May, 1904.—Printed in Appendix VIII.

CODE OF CIVIL PROCEDURE, 1908.

See Orders relating to Courts, *infra*.

OFFICIAL TRUSTEES ACT, 1913

*Inclusion of Hyderabad in the Presidency of Madras for purposes of the Act.*

No. 1450-D., dated the 19th March, 1914.—Printed in Appendix XII.

ADMINISTRATOR GENERAL'S ACT, 1913.

*Inclusion of Hyderabad in the Presidency of Madras for purposes of the Act.*

No. 1449-D., dated the 19th March, 1914.—Printed in Appendix XIII.

*Exercise of the powers and duties of a District Judge under the Act.*

No. 3542-I., dated the 27th August, 1891.—Printed in Appendix XIII.

INDIAN MOTOR VEHICLES ACT, 1914.

*Conditions subject to which motor vehicles from Indian States may be brought temporarily into British India.*

No. 627, dated the 6th July, 1916.—Printed in Appendix XIV.

COTTON TRANSPORT ACT, 1923.

*Application of the provisions of sub-section (1) of section 4 to cotton consigned to any railway station within a certain area in the Hyderabad State.*

No. 157-C. (7), dated the 12th May, 1928.—Whereas under a law in force in the territories of the Hyderabad State, the import by rail

into the area in the State territories the boundaries of which are specified in the attached Schedule, of cotton grown outside that area has been prohibited except under licence;

The Governor General in Council, in exercise of the powers conferred by sub-section (3) of section 4 of the Cotton Transport Act, 1923 (III of 1923), is pleased to declare that the provisions of sub-section (1) of the said section shall apply in respect of any such cotton which is consigned to any railway station situated within the said area in the State territories as if such area and such station were, respectively, a protected area and a notified station and as if any permission or licence granted under the said law were a licence granted under the said Act.

*Schedule.*

The area of which the boundaries are as follows:—

*North.*—The Southern boundary of Hadgaon Taluka of Nander District and the Northern boundary of *Nirmal* taluka of Adilabad District.

*East.*—The Eastern and southern boundaries of Nirmal taluka and the eastern boundaries of Nander and Bidar Districts.

*South.*—The Manjhra river till it meets the Jirna or Tirna river and thereafter the Jirna or Tirna river.

*West.*—The Jirna or Tirna river until it strikes the Western boundary of Osmanabad Taluka and thereafter the Northern boundary of Osmanabad and Owsa Talukas until it meets the tri-junction of Bidar, Bir and Osmanabad Districts and from thence northwards along the Western boundary of Bidar until it meets the southern boundary of Parbhani District: thereafter the southern boundary of Parbhani District until it meets the Western boundary of Nander and thence northward along the Western boundary of Nander.

[*Gazette of India*, 1928, Pt. I, p. 492.]

MADRAS ABKARI ACT, 1886.

*Resident empowered to permit the export of intoxicating drugs from the Madras Presidency to the Hyderabad State.*

<sup>1</sup>No. 117, dated the 20th March, 1924.—Under section 4 of the Madras Abkari Act (1886) and in exercise of all other powers enabling them in this behalf, the Government of Madras (Ministry of Education) hereby

<sup>1</sup> For this Notification see also Madras States and Mysore State “Orders under Acts of the Governor General in Council and of the Indian and Local Legislatures”, Vol. VI.

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cancel clauses (b), (c) and (d) of Notification No. 273, dated 9th August, 1919, published on pages 993-997 of Part I of the *Fort St. George Gazette*, dated 12th August, 1919, and make the following appointments, viz.:—

APPOINTMENTS.

A.—Under sub-section (b). |

\* \* \* \* \*

Local area to which applicable.

<p>VII. The Residents in Mysore and at Hyderabad and the Agent to the Governor General, Madras States, to exercise all the powers of a Collector under sections 7 and 11 of the Act in respect of the issue of permits for the export of intoxicating drugs including cocaine and its substitutes to the Indian States of Mysore, Hyderabad, Travancore and Cochin, respectively, and for the transport of the drugs to the limits of British territory.</p>	<p>Throughout the Presidency.</p>
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[*Fort St. George Gazette*, 1924, Pt. I, p. 372.]

BURMA PROCESS FEES ACT, 1910.

*Waiver of remittance to Hyderabad Courts of fees on processes sent from certain Courts in Burma.*

No. 127, dated the 23rd July, 1912.—In exercise of the power conferred by section 3 of the Burma Process Fees Act, 1910, the Lieutenant-Governor is pleased to make the following rules for the service and execution of processes issued by the Chief Court of Lower Burma and the Court of Small Causes, Rangoon.

\* \* \* \* \*

22. When a process is sent for service to another Court or Officer in British India or Hyderabad, an intimation (whether on the face of the process or on a list containing particulars of the processes sent, where more than one) shall be sent to the effect that the prescribed fee (stating its amount in words and figures) has been levied or that the process is exempt from fee and such intimation shall authorize the service without further fee. †

[*Burma Gazette*, 1912, Pt. I, p. 522.]

## V.—Orders relating to Courts.

*British Courts beyond the limits of British India empowered to send warrants for the execution of capital sentences to officers in charge of prisons in British India.*

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

*Criminal law and procedure of British India applicable to British subjects in Indian States.*

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

*Jurisdiction of the High Court at Bombay over European British subjects in Hyderabad.*

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace to commit for trial to the High Court having jurisdiction.*

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.*

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

*Appointments of Justices of the Peace for the Hyderabad State.*

No. 1905-I., dated the 28th May, 1884.—In exercise of the powers conferred by section 6 of Act XXI of 1879<sup>1</sup> (the Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to appoint the officer for the time being holding the office of First Assistant<sup>2</sup> to the Resident at Hyderabad, being a European British subject, as a Justice of the Peace within the State of Hyderabad.

[*Gazette of India*, 1884, Pt. I, p. 218.]

No. 1269-I., dated the 23rd April, 1885.—In exercise of the powers conferred by section 6 of Act XXI of 1879<sup>1</sup> (the Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to

<sup>1</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

<sup>2</sup> Now designated Secretary to the Resident.



appoint the officer for the time being holding the office of Superintendent of the Hyderabad Residency Bazars, being a European British subject to be Justice of the Peace within the State of Hyderabad.

[*Gazette of India*, 1885, Pt. I, p. 265.]

*No. 1147-I., dated the 22nd March, 1888.*—In exercise of the powers conferred by section 6 of Act XXI of 1879<sup>1</sup> (the Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to appoint the Second Assistant<sup>2</sup> to the Resident at Hyderabad, being a European British subject, to be a Justice of the Peace in the Hyderabad State.

[*Gazette of India*, 1888, Pt. I, p. 137.]

*Appointment of Justice of the Peace for the Hyderabad State, excluding areas under British jurisdiction, and directions as to Courts to which he shall commit.*

*No. 579-D., dated the 26th January, 1917.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of the notification of the Government of India in the Foreign Department, No. 2402-I. B., dated the 21st June, 1901, the Governor General in Council is pleased:—

- (1) to appoint the Special Magistrate (being a European British subject) in the territories of His Highness the Nizam of Hyderabad, to be a Justice of the Peace in and for the said territories, other than the Administered Areas;
- (2) to direct that the Court to which the said Special Magistrate is to commit for trial shall be—
  - (a) the High Court of Judicature at Bombay in the case of all European British subjects of His Majesty;
  - (b) the Resident at Hyderabad in the case of all Europeans and Americans, not being European British subjects; and
- (3) to direct that, in all inquiries preliminary to commitment under this notification, the said Special Magistrate shall be guided, as far as may be, by the provisions of the Code of Criminal Procedure, 1898 (Act V of 1898).

[*Gazette of India*, 1917, Pt. I, p. 140.]

<sup>1</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

<sup>2</sup> Now designated Under Secretary to the Resident.

*First Assistant to the Resident<sup>1</sup> empowered to refer and transfer cases to Justices of the Peace.*

*No. 3089-I., dated the 18th September, 1890.*—In exercise of the powers conferred by section 8 of the Foreign Jurisdiction and Extradition Act, 1879,<sup>2</sup> the Governor General in Council is pleased to direct that the Code of Criminal Procedure, 1882,<sup>3</sup> in so far as it extends to British subjects in the dominions of His Highness the Nizam of Hyderabad, shall be read subject to the following modification, namely:—

The officer for the time being holding the office of First Assistant<sup>1</sup> to the Resident at Hyderabad shall have power to refer any case instituted before him as a Justice of the Peace in the Hyderabad State to any other Justice of the Peace and to transfer any case instituted before any Justice of the Peace in the said State to another Justice of the Peace in the said State.

[*Gazette of India*, 1890, Pt. I, p. 696.]

*Constitution of British Criminal Courts in the Hyderabad State excluding the Administered Areas.*

*No. 1639-I., dated the 22nd May, 1885.*—In exercise of the powers conferred by sections 4 and 5<sup>2</sup> of Act XXI of 1879 (The Foreign Jurisdiction and Extradition Act, 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct as follows:—

1. The Superintendent of the Hyderabad Residency Bazars for the time being shall exercise within the limits of His Highness the Nizam's Territories (in all cases in which such powers may lawfully be exercised by the Governor General in Council within such territories) the powers of a District Magistrate as described in the Code of Criminal Procedure.

2. The First Assistant<sup>1</sup> to the Resident at Hyderabad for the time being shall exercise within the limits of His Highness the Nizam's Territories (in all cases in which such powers may lawfully be exercised by the Governor General in Council within such territories) the powers of a Court of Session as described in the Code of Criminal Procedure.

3. \*[The Court of the Resident at Hyderabad] shall exercise the powers of a High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by the Superintendent of the Hyderabad Residency Bazars within the said territories,

<sup>1</sup> Now designated Secretary to the Resident.

<sup>2</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

<sup>3</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898).

<sup>4</sup> Substituted by Notification No. 441-I., dated the 17th September, 1924. *Gazette of India*, 1924, Pt. I, p. 840.

and in respect of all offences over which the jurisdiction of a Court of Session is exercised by the First Assistant to the Resident within the said territories.

4. In the exercise of the jurisdiction of a Court of Session conferred on him by this notification, the First Assistant<sup>1</sup> to the Resident may take cognizance of any offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the Code of Criminal Procedure for the trial of warrant cases by Magistrates.

5. This notification applies to all proceedings except proceedings against European British subjects or persons jointly charged with European British subjects, and it applies to proceedings which may be pending at the date of this notification if they have been instituted and are being conducted in conformity with the provisions herein contained.

6. Nothing in this notification shall be deemed to extend to any cantonment or to the Hyderabad Residency Bazzars, or to any railway lands situate within the said territories.

[*Gazette of India*, 1885, Pt. I, p. 304.]

*Jurisdiction of Criminal Courts of Indian States over Indian officers and soldiers of the Indian Army.*

*Letter of the Government of India, No. 1389-I. A., dated the 18th April, 1905.*—Printed in Appendix XX.

*Service of summonses of Civil and Revenue Courts of the Hyderabad State—(a) by Courts in British India.*

*No. 323-I., dated the 15th May, 1929.*—Printed in Appendix XXI-B.

*(b) by Courts established or continued by the Governor General in Council.*

*No. 322-I., dated the 15th May, 1929.*—Printed in Appendix XXI-A.

*(c) by Courts in the Administered Areas in the Hyderabad State. No. 47, dated the 29th June, 1905. \* \* \**

(2) \* All civil processes issued by the District Courts of His Highness the Nizam and intended for service in the Cantonment of Secunderabad and the said railway lands, the Cantonment of Aurangabad and the Hyderabad Residency Bazzars will be sent direct by post to the Civil

<sup>1</sup> Now designated Secretary to the Resident.

Judge, Secunderabad, the Civil Judge, Aurangabad, and the Superintendent, Residency Bazars, Hyderabad, respectively.

(4) In like manner, all civil processes issued by the City Civil Court and intended for service in the Cantonment of Secunderabad and the said railway lands, the Cantonment of Aurangabad, and the Hyderabad Residency Bazars will be sent by post direct to the Civil Judge, Secunderabad, the Civil Judge, Aurangabad, and Superintendent, Hyderabad Residency Bazars, respectively. †

10. All processes forwarded by His Highness the Nizam's Civil and Criminal Courts to the Courts in the Cantonments of Secunderabad and Aurangabad, the said railway lands and the Hyderabad Residency Bazars shall be duly served by the latter as if they had been originally issued by them and returned direct to the Courts issuing them.

[*Hyderabad Residency Orders*, 1905, Pt. I, p. 119.]

*Service by Civil Courts of the Hyderabad State of summonses—(a) of Courts in British India.*

No. 323-I., dated the 15th May, 1929.—Printed in Appendix XXI-B.

(b) of Courts in the Administered Areas in the Hyderabad State.

No. 17, dated the 20th June, 1905. \* \* \*

(1) All civil processes issued by the Courts in the Cantonments of Secunderabad and Aurangabad, the Hyderabad Residency Bazars and the said railway lands and intended for service in the jurisdiction of a District Court of His Highness the Nizam shall be sent direct by post to the Court within the local jurisdiction of which they are to be served. \* \* \*

(3) All civil processes issued by the Courts in the Cantonments of Secunderabad and Aurangabad, the said railway lands and the Hyderabad Residency Bazars and intended for service in the city and suburbs of Hyderabad shall be sent to the Judge, City Civil Court, direct by post. \* \* \*

(5) All civil and criminal processes for service on persons residing in Paigah and Jagir *ilakhas* should be forwarded to the District Courts of His Highness the Nizam in the jurisdiction of which the Paigah or Jagir is situated, and not to the Paigah or Jagir authorities direct. \* \* \*

(9) \* \* The serving Court shall then deliver such process to the proper officer of the Court for service, and shall return the process to the

Court by which such process was transmitted with the endorsement of the process-server showing in what manner service has been effected, and if service has not been effected the reason for the non-service and such endorsement shall be verified by the oath or affirmation of the process-server.

[*Hyderabad Residency Orders*, 1905, Pt. I, p. 119.]

*Execution in the Administered Areas in the Hyderabad State of decrees of Civil Courts of the Hyderabad State.*

*No. 2602-I. B., dated the 9th November, 1917.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to notify that the decrees of the Civil Courts situate in the territories of His Highness the Nizam of Hyderabad, which have not been established or continued by the authority of the Governor General in Council, may, on being sent to the Resident at Hyderabad, be executed in the Administered Areas in the Hyderabad State, namely, the Cantonments of Secunderabad and Aurangabad, the Hyderabad Residency Bazars and the railway lands in the Hyderabad State which are administered by the Resident at Hyderabad, as if they had been made by the Courts in the said Areas.

[*Gazette of India*, 1918, Pt. I, p. 1816.]

*Execution in Berar of decrees of Civil Courts of the Hyderabad State.*

*No. 2599-I. B., dated the 9th November, 1917.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to notify that the decrees of the Civil Courts situate in the territories of His Highness the Nizam of Hyderabad, which have not been established or continued by the authority of the Governor General in Council, may, on being sent through the Resident at Hyderabad, be executed in Berar as if they had been made by the Courts of Berar.

[*Gazette of India*, 1918, Pt. I, p. 1816.]

*Execution by Civil Courts of the Hyderabad State of decrees of Civil Courts in the Administered Areas in the Hyderabad State.*

*No. 2603-I. B., dated the 9th November, 1917.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to declare that civil decrees passed by Courts in the Administered Areas in the Hyderabad State, namely, the Cantonments of Secunderabad and Aurangabad, the Hyderabad Residency Bazars, and the railway lands in the Hyderabad State which are

administered by the Resident at Hyderabad may be sent, through the Resident, to the Government of His Highness the Nizam of Hyderabad, for execution within the jurisdiction of any of the Civil Courts established in His Highness' territories.

[*Gazette of India*, 1918, Pt. I, p. 1816.]

*Execution by Civil Courts of the Hyderabad State of decrees of Civil Courts in the Administered Areas in Berar.*

No. 2600-I. B., dated the 9th November, 1917.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to declare that civil decrees passed by Courts in Berar may be sent, through the Resident at Hyderabad, to the Government of His Highness the Nizam of Hyderabad, for execution within the jurisdiction of any of the Civil Courts established in His Highness' territories.

[*Gazette of India*, 1918. Pt. I, p. 1816.]

*Reciprocal service of summonses to witnesses between Criminal Courts of the Hyderabad State and Criminal Courts in the Administered Areas in the Hyderabad State.*

No 47, dated the 29th June, 1905.—

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(5) <sup>1</sup>All civil and criminal processes for service on persons residing in Paigah and Jagir *ulakhas* should be forwarded to the District Court of His Highness the Nizam in the jurisdiction of which the Paigah or Jagir is situated, and not to the Paigah or Jagir authorities direct.

(6) All criminal processes for service on persons other than accused persons issued by the Courts in the Cantonment of Secunderabad and Aurangabad, the said railway lands, and the Hyderabad Residency Bazaars and intended for service in the districts of His Highness the Nizam or in the city and suburbs of Hyderabad shall be sent direct by post to the Magistrate of the district in which such persons reside or to the City Criminal Court, Hyderabad, as the case may be.

(7) In like manner all criminal processes for service on persons other than accused persons issued by a District Court in the dominions of His Highness the Nizam or by the City Criminal Court, Hyderabad, and intended for service in the Cantonment of Secunderabad, the said Railway lands, the Cantonment of Aurangabad and the Hyderabad Residency Bazaars will be sent by post direct to the Cantonment Magistrate, Secunderabad, the District Magistrate for Railways, Hyderabad, the

<sup>1</sup> Substituted by Notification No 55-J., dated the 2nd August, 1905. *Hyderabad Residency Orders*, 1905, Pt. I, p. 184.

District Magistrate, Aurangabad, and the Superintendent, Residency Bazars, Hyderabad, respectively.

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(9) <sup>1</sup> The serving Court shall then deliver such process to the proper officer of the Court for service and shall return the process to the Court by which such process was transmitted with the endorsement of the process-server's showing in what manner service has been effected, and if service has not been effected the reason for the non-service, and such endorsement shall be verified by the oath or affirmation of the process-server.

(10) All processes forwarded by His Highness the Nizam's Civil and Criminal Courts to the Courts in the Cantonments of Secunderabad and Aurangabad, the said railway lands and the Hyderabad Residency Bazars shall be duly served by the latter as if they had been originally issued by them, and returned direct to the Courts issuing them.

[*Hyderabad Residency Orders*, 1905, Pt. I, p. 119.]

*Reciprocal recovery of fines between Criminal Courts of the Hyderabad State and Criminal Courts in the Administered Areas in the Hyderabad State.* }

No. 4113-I. B., dated the 6th November, 1908.—Whereas the Governments of India and of His Highness the Nizam of Hyderabad have agreed to the reciprocal recovery of fines imposed by any of the Criminal Courts of His Highness the Nizam of Hyderabad of the one part and the Criminal Courts having jurisdiction in the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad of the other part:

The Governor General in Council is pleased, in exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, to issue the following rules: ;

- (1) All Magistrates in the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad are authorised by the Governor General in Council to realise, against the moveable property of any person residing in or possessing moveable property within the local limits of their respective jurisdictions, fines inflicted by Criminal Courts in the Dominions of His Highness the Nizam of Hyderabad, provided that the realisation of any such fine has been approved and directed by the Resident at Hyderabad.
- (2) In regard to the realisation of any such fine the Magistrate realising such fine shall exercise the same powers as he

would exercise had such fine been imposed by himself and he shall so far as circumstances permit be guided by the provisions of the Indian Penal Code and the Code of Criminal Procedure.

- (3) Should the fine be realised wholly or in part, the amount so realised shall be sent through the Resident to His Highness the Nizam's Government. Should realisation be impossible an endorsement to that effect shall be made on the warrant for realisation which shall then be returned through the Resident to His Highness the Nizam's Government.
- (4) Whenever a Criminal Court in the areas administered by the Resident considers it desirable that a fine imposed by it upon an offender should be realised by the distress and sale of any property belonging to the offender and situate within the jurisdiction of a Criminal Court of His Highness the Nizam, it may forward a warrant for execution by the Court concerned, through the Resident and His Highness the Nizam's Government.

[*Gazette of India*, 1908, Pt. I, p. 984.]

*Reciprocal waiver of process fees between Courts of the Hyderabad State and Courts in the Administered Areas in the Hyderabad State.*

No. 47, dated the 29th June, 1905.—

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(8) No remittance on account of fees for the service of process shall accompany such process, but a note shall be entered thereon that the necessary process fee has been levied and it shall be attested by the signature of the Judge and the seal of the Court issuing the process.

(9) The certificates endorsed on the process by the Court issuing the same shall be accepted by the Court sending the same as sufficient proof that the proper fee for the issue thereby has been paid.

\* \* \* \*

(11) *Also of postal charges.*—All processes and papers connected therewith shall be transmitted by post or "service" letters to and be franked by the Civil or Criminal Judge concerned.

(12) *Scale of process fees and their disposal.*—The fees that shall be levied on processes forwarded for service to His Highness the Nizam's Civil and Criminal Courts shall be those prescribed by the rules in force for processes to be served by the Courts in the Cantonment of Secunderabad and the said railway lands, the Cantonment of Aurangabad and the Hyderabad Residency Bazars, and the same should be credited to Government.



(13) *Batta and travelling allowance of witnesses.*—When the processes issued by the Courts in the Cantonments of Secunderabad and Aurangabad, the said railway lands and the Hyderabad Residency Bazars for service in the jurisdiction of His Highness the Nizam's Courts are for the appearance of any person as a witness, the amount of *batta* and travelling allowance he is entitled to according to the rule in force shall be remitted with the processes.

[*Hyderabad Residency Orders*, 1905, Pt. I, p. 119.]

**ADMINISTERED AREAS IN THE HYDERABAD STATE.**

The following British enactments are in force in the Administered Areas in the Hyderabad State:—

- I.—Statutes.**<sup>1</sup>
- II.—Acts of the Governor General in Council and of the Indian Legislature.—***See* Appendix II.
- III.—Orders under Statutes.—***See infra*, page 24.
- IV.—Orders under Acts of the Governor General in Council and of the Indian and Local Legislatures.—***See infra*, pages 24 to 25.
- V.—Acts locally applied.—***See infra*, pages 27 to 52.
- VI.—Local laws.—***See infra*, pages 53 to 145.
- VII.—Orders relating to Courts.—***See infra*, pages 147 to 176.
- VIII.—Orders under Acts locally applied.—***See infra*, pages 177 to 640.
- IX.—Orders under Local Laws.—***See infra*, pages 641 to 760.

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<sup>1</sup> Not enumerated —*See* Preface to this Edition, paragraph 4.

24 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(III.—Orders under Statutes. IV.—Orders under Acts of the Governor General in Council and of the Indian and Local Legislatures.)

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III.—Orders under Statutes.

*No. 156, dated the 21st March, 1884.*—In continuation of G. G. O. <sup>44</sup> and No. 488 of 1883, the Governor General of India in Council, in exercise <sup>Vict. c.</sup> of the powers conferred by section 133 of the Army Act, 1881, is pleased to set apart the buildings or parts of buildings at the stations as hereinafter detailed as part of the military prisons at those stations, and they are hereby declared to be part of such military prisons, namely—

*Secunderabad.*—The room at the southern end of the detached building situated at the west gate of the south Station Hospital, formerly used as a guard-room.

[*Gazette of India*, 1884, Pt. I, p. 128.]

The Indian (Foreign Jurisdiction) Order in Council, 1902.<sup>1</sup>—*See* <sup>53 and</sup> Appendix I. <sup>Vict. c</sup>

*No. 580-D., dated the 26th January, 1917.*—(Jurisdiction of High <sup>5 & 6</sup> Courts over European British subjects.)—*See* Appendix IV. <sup>Ch. 61.</sup>

IV.—Orders under Acts of the Governor General in Council and of the Indian and Local Legislatures.

The orders cited above<sup>2</sup> as in force in the Hyderabad State operate to the same extent in the Administered Areas in the State, with the exception of the orders under the Indian Extradition Act, 1903, which do not apply in any Administered Areas.

The following order which is in force in British India, but effects the Administered Areas may also be cited:—

INDIAN STAMP ACT, 1899.

*Remission of duty in British India on instruments executed and properly stamped in the Administered Areas in the Hyderabad State.*

<sup>3</sup>*No. 3616-Exc., dated the 16th July, 1909.*—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), \* the Governor General in Council is pleased \* \* to remit

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<sup>1</sup> Various orders under this Order in Council are included under the headings "Acts locally applied," "Local Laws" and "Orders relating to Courts", *infra*.

<sup>2</sup> Pages 5 to 12 *supra*

<sup>3</sup> For similar remissions in Administered Areas under British jurisdiction see the orders under the Indian Stamp Act, 1899, as applied to the various Administered Areas.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IV.—Orders 25  
under Acts of the Governor General in Council and of the  
Indian and Local Legislatures.)

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the duties \* chargeable in respect of instruments of the classes here-  
inafter described:—

\* \* \* \* \*

81. Instrument executed in the areas mentioned in the schedule  
hereto attached in respect of which the stamp duty with which it is  
chargeable under the Stamp Law for the time being in force in the  
said areas has been paid in accordance with the said Law.

SCHEDULE.

*Areas.*

\* \* \* \* \*

6. The areas in the Hyderabad State in which the Governor General  
in Council exercises jurisdiction through the Resident at Hyderabad.

[*Gazette of India*, 1909, Pt. I, p. 597.]

### V.—Acts locally applied.

*No. 260-I., dated the 24th April, 1929.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and to provide for the administration of the Administered Areas in the Hyderabad State, namely, the Cantonments of Secunderabad and Aurangabad, the Hyderabad Residency Buzars, and the lands in the Hyderabad State occupied by His Exalted Highness the Nizam's Guaranteed State Railway system, by the South East main line of the Great Indian Peninsula Railway, by the broad gauge North-West line of the Madras and Southern Maratha Railway, by the Secunderabad-Gadwal and Gadwal-Hyderabad Frontier near Kurnool sections of the Secunderabad-Gadag Railway, and by the Kazipet-Balharshah Railway (hereinafter styled the "Railway Lands"), the Governor General in Council is pleased, in supersession of the notification of the Government of India in the Foreign Department, No. 582-I. B., dated the 22nd March, 1913, and of all notifications amending the same, to apply the enactments specified in the first column of the schedule hereto annexed to such of the said Administered Areas as are specified in the second column thereof, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India :

Provided, first, that in the enactments as so applied (except where the context or the modifications hereinafter referred to otherwise require) references to a Local Government or the Chief Controlling Revenue Authority shall be read as referring to the Resident at Hyderabad; references to a Secretary to a Local Government as referring to the Secretary to the Resident at Hyderabad; references to a High Court as referring to the Court of the Resident at Hyderabad; and references to British India or to a province or to the territories subject to or administered by a Local Government as referring to the Administered Area or Areas to which the enactment, wherein the expression occurs, has been applied :

Provided, secondly, that the further modifications and restrictions set forth in the said schedule shall be made in the enactments as so applied :

Provided, thirdly, that for the purposes of facilitating the application of the said enactments any Court in any area to which the same may have been applied may construe the provisions thereof and any notifications, orders, rules, forms or bye-laws thereunder with such alterations

not affecting the substance as may be necessary or proper to adapt them to the matter before the Court:

Provided, fourthly, that subject to the provisions of this notification, the Resident at Hyderabad may direct by what officer any authority or power under the said enactments shall be exercisable:

Provided, fifthly, that all civil and criminal and other proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceedings commenced, officers appointed or authorized, jurisdictions or powers conferred or confirmed, notifications published, rules or bye-laws made, orders passed and things done under any of the enactments specified in the notifications hereby superseded in the said Administered Areas shall be, as far as may be, deemed to have been respectively commenced, appointed or authorized, conferred or confirmed, published, made, passed and done, under the corresponding enactments specified in this notification.

### *The Schedule.*

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
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#### *Act of Parliament.*

- |   |  |                                       |
|---|--|---------------------------------------|
| 1. The Army Act (44 and 45 Vict., c. 58). | All Administered Areas in the Hyderabad State. | Only section 156 shall be applicable. |
|---|--|---------------------------------------|

#### *Acts of the Governor General in Council.*

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|---|---|---|
| 2. The Judicial Officers' Protection Act, 1850 (XVIII of 1850). | All Administered Areas in the Hyderabad State.  | .....   |
| 3. The Employers and Workmen (Disputes) Act, 1860 (IX of 1860). | The Cantonments of Secunderabad and Aurangabad. | (1) In section 1, for the words "the executive Government of any presidency or place within the British territories in India," the words "the Resident at Hyderabad" shall be substituted: and the words "Parliament or by any such executive" shall be omitted.<br>(2) Section 9 shall be omitted. |
| 4. The Indian Penal Code (Act XLV of 1860).                     | All Administered Areas in the Hyderabad State.  | In section 75, the words "British India" shall be read as referring to British India and the Administered Areas in the Hyderabad State.   |

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
5. The Police Act, 1861 (V of 1861).	All Administered Areas in the Hyderabad State.	<p>(1) References to an Inspector-General, Deputy Inspector-General or Assistant Inspector-General of Police shall be read as referring to the Secretary to the Resident at Hyderabad and references to a general police-district as referring to the combined Administered Areas in the Hyderabad State.</p> <p>(2) In section 1—</p> <p>(a) for the definition of “Magistrate of the district” the following shall be substituted, namely.—</p> <p>“the words ‘Magistrate of the district’ shall mean the officer exercising within the area in question the powers of a District Magistrate as described in the Code of Criminal Procedure, 1898”;</p> <p>(b) the definition of “general police-district” shall be omitted.</p> <p>(3) In section 4, the words from “and in such” to “shall seem fit” and the words “the Local” in the other places where they occur, shall be omitted.</p> <p>(4) Section 5 shall be omitted.</p> <p>(5) In sections 9 and 13, after the words “District Superintendent”, wherever they occur, the words “or Assistant District Superintendent” shall be inserted.</p> <p>(6) In section 34, the words from “within the limits” to “Local Government” shall be omitted.</p> <p>(7) Sub-section (1) and the first fourteen words of sub-section (2) of section 48 shall be omitted.</p>

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
6 The Foreigners Act, 1884 (III of 1864).	All Administered Areas in the Hyderabad State.	.....
7. The Public Gambling Act, 1867 (III of 1867).	The Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazzars.	(1) The preamble, the first two paragraphs of section 1, and section 2 shall be omitted. (2) In section 5 for the words "Lieutenant-Governor or Chief Commissioner" and in section 17. for the words "Lieutenant-Governor or Chief Commissioner as the case may be" the words "Resident at Hyderabad" shall be substituted.
8. The Indian Divorce Act, 1869 (IV of 1869).	All Administered Areas in the Hyderabad State.	(1) For clause (2) of section 3, the following shall be substituted, namely:— " (2) ' District Judge ' means the District and Additional Sessions Judge, Secunderabad." (2) Nothing in the Act as applied shall be deemed to apply to British subjects.
9. The Court-fees Act, 1870 (VII of 1870) as amended by the Madras Court-fees (Amendment) Act, 1922 (Madras Act V of 1922).	All Administered Areas in the Hyderabad State.	(1) In section 30, for the words "figure-head" the words "centre of the stamp" shall be substituted. (2) At the end of the second column of Article 1 of Schedule I, and also at the end of the Table of Rates of <i>ad valorem</i> fees, leviable on plaints, etc., mentioned in Article 1 of Schedule I. appended to the said Schedule, the following words shall be inserted, namely. — " Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be six thousand rupees." (3) In Articles 17, 17-A., 17-B., 18 and 19 of Schedule II, the entries in the second and third columns shall be omitted, and the words "Fifteen rupees" shall be inserted in the third column opposite each of the said Articles.



**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts 31  
locally applied.)**

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
10. The Cattle-trespass Act, 1871 (I of 1871).	All Administered Areas in the Hyderabad State.	.....
11. The Indian Evidence Act, 1872 (I of 1872).	All Administered Areas in the Hyderabad State.	In sections 57, 74, 78 and 79. the words "British India" shall be read as referring to British India, the Administered Areas in the Hyderabad State and areas outside British India under the administration of the Governor General in Council.
12. The Special Marriage Act, 1872 (III of 1872).	All Administered Areas in the Hyderabad State.	.....
13. The Indian Contract Act, 1872 (IX of 1872).	All Administered Areas in the Hyderabad State.	.....
14. The Indian Christian Marriage Act, 1872 (XV of 1872).	All Administered Areas in the Hyderabad State.	(1) Sections 47. and 56 shall be omitted (2) Nothing in the Act as applied shall be deemed to apply to British subjects.
15. The Indian Oaths Act, 1873 (X of 1873).	All Administered Areas in the Hyderabad State.	.....
16. The Indian Majority Act, 1875 (IX of 1875).	All Administered Areas in the Hyderabad State.	(1) In clause (b) of section 2, for the words "Her Majesty's subjects in India" the words "persons within the Administered Areas in the Hyderabad State" shall be substituted. (2) In section 3, the words "British India" shall be read as referring to British India and the Administered Areas in the Hyderabad State.
17. The Specific Relief Act, 1877 (I of 1877).	The Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars.	.....
18. The Hackney-carriage Act, 1879 (XIV of 1879).	The Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars.	(1) In section 2, after the word "passengers" the words "goods or materials" shall be inserted. (2) In section 4, the words "of any of the said territories" shall be omitted. (3) For the purpose of this Act the Hyderabad Residency Bazars shall be deemed to be a cantonment.

### 32 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
19. The Vaccination Act, 1880 (XIII of 1880).	The Cantonments of Secunderabad and Aurangabad and the Railway Lands.	(1) The second paragraph of section 1 and section 4 shall be omitted. (2) For the purposes of this Act the Railway Lands shall be deemed to be a cantonment
20. The Negotiable Instruments Act, 1881 (XXVI of 1881).	All Administered Areas in the Hyderabad State.	In section 11, the words "British India," shall be read as referring to British India and the Administered Areas in the Hyderabad State.
21. The Transfer of Property Act, 1882 (IV of 1882).	The Cantonments of Secunderabad and Aurangabad.	Only the following section of the Act shall apply as hereby modified, namely:— <p>" 108. In the absence of a contract or local usage to the contrary, if the lessor of immovable property neglects to make, within a reasonable time after notice, any repairs which he is bound to make to the property the lessee may make the same himself and deduct the expense of such repairs with interest from the rent, or otherwise recover it from the lessor."</p>
22. The Indian Explosives Act, 1884 (IV of 1884).	All Administered Areas in the Hyderabad State.	Section 2 and sub-sections (1), (2), (3) and (4) of section 18 shall be omitted
23. The Indian Telegraph Act, 1885 (XIII of 1885).	All Administered Areas in the Hyderabad State.	.....
24. The Births, Deaths and Marriages Registration Act, 1886 (VI of 1886).	All Administered Areas in the Hyderabad State.	(1) Sub-section (2) of section 1, and sections 2, 17 and 32 shall be omitted. (2) In section 15, the words "or the Governor General in Council as the case may be" in both places where they occur, and the words "or the Governor General in Council" shall be omitted.
25. The Indian Tramways Act 1886 (XI of 1886).	The Cantonment of Secunderabad and the Hyderabad Residency Bazaars.	.....

Enactments applied. Areas to which applied. Further modifications and restrictions.

26. The Suits Valuation All Administered .....  
Act, 1887 (VII of 1887). Areas in the Hydera-  
bad State.
27. The Provincial Small All Administered (1) In sub-section (2) of sec-  
Cause Courts Act, 1887 Areas in the Hydera- tion 2, for the words and  
(IX of 1887). bad State. figures from "Act No.  
XI of 1865" to "repealed  
by that Act" the words  
and figures "the Hydera-  
bad Residency Small  
Cause Courts Law, 1904,  
as subsequently amend-  
ed", shall be substitut-  
ed.
- (2) In sub-section (3) of sec-  
tion 2, after the words  
"thereby repealed" the  
words and figures  
"or to the Hyderabad  
Assigned Districts Small  
Cause Courts Law, 1889,  
in its application to the  
Administered Areas in  
the Hyderabad State, or  
to the Hyderabad Resi-  
dency Small Cause Courts  
Law, 1904," shall be in-  
serted.
- (3) For sub-sections (1), (2)  
and (3) of section 8, the  
following shall be substi-  
tuted, namely:—  
"The Resident at  
Hyderabad may,  
by order in  
writing, appoint  
an Additional  
Judge of a Court  
of Small Causes,  
and regulate the  
distribution of  
work between the  
Judge and an  
Additional  
Judge."
- (4) In section 15, for the  
words "five hundred  
rupees" in sub-sec-  
tion (2) the words  
"one thousand rupees,  
or such smaller sum as  
the Resident may from  
time to time fix in this  
behalf" shall be substi-  
tuted; and sub-section  
(3) shall be omitted.
- (5) For section 24, the  
following shall be  
substituted, namely:—  
"24. Where an order  
specified in clause  
(f) or clause (h)  
of sub-section (1)

# 34 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
27. The Provincial Small Cause Courts Act, 1887 (IX of 1887)— <i>contd.</i>	.....	of section 104 of the Code of Civil Procedure, 1908 (V of 1908), is made by a Court of Small Causes subject to the administrative control of the District Court, an appeal shall lie to the District Court. When such an order is made by the District Court in exercise of its Small Cause jurisdiction, an appeal therefrom shall lie to the Court of the Resident."
		(6) Sub-section (2) of section 28 shall be omitted.
28. The Measures of Length Act, 1889 (II of 1889).	All Administered Areas in the Hyderabad State.	(1) The preamble, sub-sections (2) and (3) of section 1, and sections 3 and 7 shall be omitted. (2) For section 2, the following shall be substituted, namely:— "2. The standard yard of British India shall be the legal standard measure of length in the Administered Areas in the Hyderabad State, and be called the standard yard"
29. The Indian Merchandise Marks Act, 1889 (IV of 1889).	The Cantonments of Secunderabad and Aurangabad.	For sub-section (1) of section 16, the following shall be substituted, namely:— "(1) The Resident at Hyderabad may, by notification in the Hyderabad Residency Orders, issue instructions for observance by Criminal Courts in the Administered Areas in the Hyderabad State in giving effect to any of the provisions of this Act."

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
30. The Revenue Recovery Act, 1890 (I of 1890).	All Administered Areas in the Hyderabad State.	For section 8, the following shall be substituted, namely.— “8. The provisions of this Act shall apply equally to— (a) the recovery in the Administered Areas in the Hyderabad State of any arrear of land revenue accruing or sum recoverable as an arrear of land revenue and payable to a Collector or other public officer or to a local authority in any part of British India or in any local area, which is not part of British India but which is under the administration of the Governor General in Council and to which the Revenue Recovery Act, 1890, has been applied; and (b) the demand for the recovery in British India or in any such local area of any such arrear accruing or sum so recoverable and payable, in the said Administered Areas.”
31. The Charitable Endowments Act, 1890 (VI of 1890)	All Administered Areas in the Hyderabad State.	...
32. The Guardians and Wards Act, 1890 (VIII of 1890).	All Administered Areas in the Hyderabad State.	..
33. The Indian Railways Act, 1890 (IX of 1890).	The Cantonments of Secunderabad and Aurangabad.	....
34. The Prevention of Cruelty to Animals Act, 1890 (XI of 1890).	All Administered Areas in the Hyderabad State.	.....
35. The Bankers' Books Evidence Act, 1891 (XVIII of 1891).	All Administered Areas in the Hyderabad State.	.. ..

36 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
36. The Land Acquisition Act, 1894 (I of 1894).	All Administered Areas in the Hyderabad State.	.....
37. The Prisons Act, 1894 (IX of 1894).	All Administered Areas in the Hyderabad State.	.....
38. The Epidemic Diseases Act, 1897 (III of 1897).	All Administered Areas in the Hyderabad State.	.....
39. The Reformatory Schools Act, 1897 (VIII of 1897).	All Administered Areas in the Hyderabad State.	In sub-section (1) of section 15, for the words "in one province" and "in any other province" respectively, the words "outside the Administered Areas in the Hyderabad State" and "in the Administered Areas in the Hyderabad State" shall be substituted.
40. The General Clauses Act, 1897 (X of 1897).	All Administered Areas in the Hyderabad State.	In clause (7) of section 3, the words "British India" shall remain unmodified, but in any other enactment, where this definition would otherwise apply, the words shall be read subject to the provisions of this notification.
41. The Indian Short Titles Act, 1897 (XIV of 1897.)	All Administered Areas in the Hyderabad State.	.....
43. The Lepers Act, 1898 (III of 1898).	All Administered Areas in the Hyderabad State.	(1) For clause (3) of section 2, the following shall be substituted, namely:— “ (3) ‘ the leper asylum’ means the leper asylum at Chandkhuri in the Drug District of the Central Provinces, maintained by the Mission to Lepers in India and the East.” (2) For the words “ a leper asylum ” or “ an asylum ” wherever they occur, the words “ the leper asylum ” shall be substituted. (3) Sub-sections (2), (3) and (4) of section 1, clauses (4) and (5) of section 2, the words from “ appoint any place ” to “ like notification ” in section 3, the words from “ and any person ” to “ leper asylum ” and the words “ or Superintendent ” in section 4, sections 5, 13 and 14, clause

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts 37**  
*locally applied.)*

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
42. The Lepers Act, 1898 (III of 1898)— <i>contd</i>	.....	<p>(b) of section 16, clause (b) and the first eight and the last eleven words in clause (a) of section 17, section 19, and Form E, shall be omitted</p> <p>(4) In sub-section (1) of section 8, sub-section (2) of section 10, and in Forms C and D, for the words "by order of the Board or the District Magistrate" the words "in accordance with the law for the time being in force, regarding the asylum at Chandkhuri, or by order of the District Magistrate" shall be substituted.</p>
43. The Code of Criminal All Procedure, 1898 (Act V of 1898).	Administered Areas in the Hyderabad State.	<p>(1) Sections 22 and 25 shall be omitted.</p> <p>(2) Trials before the Court of Session may, in the discretion of the Sessions Judge, be without jury or aid of assessors.</p> <p>(3) In sub-section (1) of section 503, after the words "such attendance and" the words "if such witness resides in any area to which this Code has been applied or in British India" shall be inserted.</p> <p>(4) Nothing in the Code as applied shall be deemed to apply to proceedings against European British subjects or persons charged jointly with European British subjects.</p>
44. The Indian Post Office All Act, 1898 (VI of 1898).	Administered Areas in the Hyderabad State.	.....
45. The Indian Stamp Act, All 1899 (II of 1899) as amended by the Madras Stamp (Amendment) Act, 1922 (Madras Act VI of 1922).	Administered Areas in the Hyderabad State.	<p>(1) In the first proviso to section 3—</p> <p>(a) in clause (aa), for the words "in the Presidency of Madras" and the figures "1922" the words "in the Administered Areas in the Hyderabad State" and the figures "1927" respectively shall be substituted; and</p> <p>(ii) in clause (bb), for the words "out of the Presidency of Madras" and the figures "1922" the words "outside the Administered Areas in the</p>

38 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
45. The Indian Stamp Act, 1899 (II of 1899) as amended by the Madras Stamp (Amendment) Act, 1922 (Madras Act VI of 1922)— <i>contd.</i>	.....	Hyderabad State" and the figures "1927" respectively and for the words "the said Presidency" in both places where they occur the words "the said Areas", shall be substituted. (2) In section 19-A.— (i) the words "British India", wherever they occur shall remain unmodified; and (ii) the words "other than the Presidency of Madras" shall be omitted, and for the words "in the said Presidency" the words "in the Administered Areas in the Hyderabad State" shall be substituted. (3) In clause (d) of section 57, after the words "Central Provinces" the words "or the Administered Areas in the Hyderabad State" shall be inserted.
46. The Indian Petroleum Act, 1899 (VIII of 1899).	All Administered Areas in the Hyderabad State.	(1) Sub-section (3) of section 1 shall be omitted (2) To sub-section (1) of section 24, after the word "direct" the words "for British India" shall be added.
47. The Glanders and Farcy Act, 1899 (XIII of 1899).	The Cantonments of Secunderabad and Aurangabad.	Section 3 and the first eleven words in sub-section (1) of section 4 shall be omitted.
48. The Church of Scotland Kirk Sessions Act, 1899 (XXIII of 1899).	The Cantonments of Secunderabad and Aurangabad.	.....
49. The Prisoners Act, 1900 (III of 1900).	All Administered Areas in the Hyderabad State.	(1) In section 19 and sub-section (1) of section 32, for the words "the Province" the words "British India or Berar" and for the words "Local Government" the words "Governor General in Council" shall be substituted. (2) In sub-section (1) of section 29, the words "British India" shall remain unmodified, and the word "order" shall be omitted.



ADMINISTERED AREAS IN THE HYDERABAD STATE.—(I.—Acts 39  
locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions
49. The Prisoners Act, 1900 (III of 1900)— <i>contd.</i>	.....	(3) In sub-section (2) of section 30, after the words "within the province" the words "or, with the sanction of the Governor General in Council, in British India" shall be inserted.  (4) Sub-section (2) of section 32 shall be omitted.
50. The Indian Railway Board Act, 1905 (IV of 1905).	The Cantonments of Secunderabad and Aurangabad.	.....
51. The Code of Civil Procedure, 1908 (Act V of 1908).	All Administered Areas in the Hyderabad State.	(1) In sub-section (5) of section 2, section 10, the explanation to section 16, and sub-rules (4) and (5) of rule 49 of Order XXI in the first Schedule the words "British India" shall be read as referring to British India and the Administered Areas in the Hyderabad State.  (2) At the end of section 9, the words "and any suit instituted against a subject of His Exalted Highness the Nizam of which cognizance is barred by an order in writing signed by the Resident" shall be added.  (3) In the proviso to section 29, after the word "summonses" the words "are situate in British India or" shall be inserted.  (4) For section 43 the following shall be substituted, namely:—  "43. <i>Execution of decrees of British Courts.</i> —Any decree passed by a Civil Court in British India or by any Court established or continued by the authority of the Governor General in Council may, if it cannot be executed within the jurisdiction of the Court by which it was passed, be executed in the manner herein provided within the jurisdiction of any Court in the Administered Areas in the Hyderabad State."

40 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
51. The Code of Civil Procedure, 1908 (Act V of 1908)— <i>contd.</i>	.....	<p>(5) In section 45, before the words "any Court" the words "any Court situate in British India, or to" shall be inserted.</p> <p>(6) For clause (b) of section 78, the following shall be substituted, namely:—</p> <p>"(b) Courts situate in British India or in any other part of the British Empire, or"</p> <p>(7) To rule 25 of Order V in the First Schedule the following shall be added, namely:—</p> <p>"Provided that, if the defendant resides in British India, the summons may be sent for service to a Court (not being a High Court) having jurisdiction at the place where he resides, and if the Court returns the summons with an endorsement signed by the Judge or other officer of the Court that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be deemed to be evidence of service"</p> <p>(8) To rule 6 of Order IX in the First Schedule the following shall be added, namely:—</p> <p>"In any case falling under clause (a), the court may, instead of proceeding <i>ex parte</i>, issue a warrant for the arrest of the defendant and for his detention until such date as may be appointed for the hearing of the case, and may also direct the attachment of his property."</p> <p>(9) The provisions of rule 48 of Order XXI in the First Schedule shall apply only to those cases in which the salary or allowances are payable in the Administered Areas in the Hyderabad State.</p>
52. The Explosive Substances Act, 1908 (VI of 1908).	All Administered Areas in the Hyderabad State.	In section 4 for the words "British India," wherever they occur, the word "India" shall be substituted.

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts 41  
locally applied.)**

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
53. The Indian Limitation Act, 1908 (IX of 1908).	All Administered Areas in the Hyderabad State.	<p>(1) In section 13, the words "British India" shall be read as referring to "British India" and the territories of His Exalted Highness the Nizam including the Administered Areas in the Hyderabad State.</p> <p>(2) In section 14 references to a Court shall be read as including the Courts of His Exalted Highness the Nizam.</p> <p>(3) Section 30 and the second schedule shall be omitted.</p> <p>(4) For section 31, the following shall be substituted, namely—</p> <p>"31. Notwithstanding anything contained in this Act, a suit for foreclosure or a suit for sale by a mortgagee instituted within sixty years from the date when the money secured by the mortgage became due and pending at the date of this notification, in a Court either of first instance or of appeal, shall not be dismissed on the ground that a twelve years' rule of limitation is applicable."</p>
54. The Indian Registration Act, 1908 (XVI of 1908).	All Administered Areas in the Hyderabad State.	<p>(1) In section 33, the words "British India" shall remain unmodified.</p> <p>(2) In sub-section (1) of section 33, after the words "executing the power-of-attorney resides" in clause (a) and after the words "does not reside" in clause (c), the words "in the Administered Areas in the Hyderabad State or" shall be added.</p>
55. The Whipping Act, 1909 (IV of 1909).	All Administered Areas in the Hyderabad State.	Section 6 shall be omitted.
56. The Indian Electricity Act, 1910 (IX of 1910).	The Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars.	Sub-section (3) of section 1 and sub-section (1), (2) and (3) of section 38 shall be omitted.
57. The Indian Factories Act, 1911 (XII of 1911).	The Railway Lands	.....

42 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
58. The Indian Aircraft Act, 1911 (XVII of 1911).	The Cantonment of Secunderabad and the Hyderabad Residency Bazzars.	(1) Sub-section (3) of section 1 and sub-section (2) of section 4 shall be omitted. (2) In section 6, after the words "any rule made" the words "or notification issued" shall be inserted.
59. The Co-operative Societies Act, 1912 (II of 1912).	All Administered Areas in the Hyderabad State.	At the end of the proviso to clause (1) of section 29, the words "or to a society registered under the law relating to co-operative societies for the time being in force in the Hyderabad State", shall be added
60. The Indian Lunacy Act, 1912 (IV of 1912).	All Administered Areas in the Hyderabad State.	(1) To clause (1) of section 3, the following shall be added, namely — "and includes all asylums or mental hospitals for lunatics established or licensed by Government in British India". (2) Sections 14, 15 and 67 shall be subject to the proviso that, if a lunatic is an inhabitant of a State in India, the Magistrate or Judge, as the case may be, may make him over to the care of such State, with its consent and, in the case of an order under section 67, with the consent of the person on whose application the inquisition was instituted.
61. The Wild Birds and Animals Protection Act, 1912 (VIII of 1912).	All Administered Areas in the Hyderabad State.	.....
62. The Indian Motor Vehicles Act, 1914 (VIII of 1914).	All Administered Areas in the Hyderabad State.	(1) Sub-sections (2) and (3) of section 1 and the Schedule to the Act shall be omitted. (2) In section 6, after the words "in the prescribed manner" the words "or under the Act as in force in British India, or under the law for the time being in force in the Hyderabad State", shall be inserted.

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
62 The Indian Motor Vehicles Act, 1914 (VIII of 1914)— <i>contd</i>	.	(3) In section 17, for the words "Presidency Magistrate" the words "District Magistrate", and for the words "Second Class" the words "First Class", shall be substituted.
63. The Destruction of Records Act, 1917 (V of 1917).	The Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars.	.....
64. The Cinematograph Act, 1918 (II of 1918).	All Administered Areas in the Hyderabad State.	.....
65. The Usurious Loans Act, 1918 (X of 1918).	All Administered Areas in the Hyderabad State.	.....
66. The Poisons Act, 1919 (XII of 1919).	All Administered Areas in the Hyderabad State.	.....
67. The Provincial Insolvency Act, 1920 (V of 1920).	All Administered Areas in the Hyderabad State.	.....
68. The Identification of Prisoners Act, 1920 (XXXIII of 1920).	All Administered Areas in the Hyderabad State.	
<i>Acts of the Indian Legislature.</i>		
69.* The Cantonments (House Accommodation) Act, 1923 (VI of 1923).	The Cantonments of Secunderabad and Aurangabad.	(1) In sub-section (2) of section 2, for the words "District Magistrate" the words "Secretary to the Resident" shall be substituted. (2) In section 9, for the expression "the Commissioner or, in a province where there are no Commissioners, of the Collector" the expression "Resident at Hyderabad" shall be substituted. (3) In sub-section (1) of section 15 for the words "fifteen days" the words "one month" shall be substituted. (4) In section 34, the words "or under any other rule for the time being in force in the Cantonment" shall be added. (5) Sub-section (1) of section 36 shall be omitted.
70. The Workmen's Compensation Act, (VIII of 1923).	Com- All Administered Areas in the Hyderabad State.	Sub-section (3) of section 1 shall be omitted.

44 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts  
locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
71. The Indian Paper All Currency Act, 1923 (X Areas in the Hydera- of 1923).	Administered bad State.	<p>Only the following sections shall apply as hereby modified, namely —</p> <p>“ 14. A universal currency note for the time being of British India and any currency note of the Bombay Circle of issue as established for the time being under the Indian Paper Currency Act, 1923, shall be a legal tender for the amount expressed in the note in payment or on account of—</p> <p>(a) any revenue or other claim to the amount of five rupees or upwards due to Government, and</p> <p>(b) any sum of five rupees or upwards due by Government or by any body corporate or person.</p> <p>25. No person shall draw, accept, make or issue any bill of exchange, hundi, promissory note or engagement for the payment of money payable to bearer on demand, or borrow, owe or take up any sum or sums of money on the bills, hundis or notes payable to bearer on demand, of any such person.</p> <p>Provided that cheques or drafts, payable to bearer on demand or otherwise, may be drawn on bankers, shroffs or agents by their customers or constituents, in respect of deposits of money in the hands of those bankers, shroffs or agents, and held by them at the credit and disposal of the persons drawing such cheques or drafts.</p> <p>26. (1) Any person contravening the provisions of section 25 shall, on conviction by a Magistrate of the first class, be punishable with a fine equal to the amount of the bill, hundi, note or engagement in respect whereof the offence is committed.</p>

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
71 The Indian Paper Currency Act, 1923 (X of 1923)— <i>contd.</i>	.....	(2) Every prosecution under this section shall be instituted by a person empowered in this behalf by the Resident at Hyderabad with the sanction of the Governor General in Council."
72. The Cantonments Act, 1924 (II of 1924).	The Cantonments of Secunderabad and Aurangabad.	<p>(1) For clause (xii) of section 2, the following clause shall be substituted, namely:—</p> <p>“(xii) ‘Executive Engineer’ means the person appointed by the Local Government to be the Executive Engineer of the Cantonment;”</p> <p>(2) For section 3, the following section shall be substituted, namely:—</p> <p>“3. The Governor General in Council may, by notification in the Gazette of India, define or alter the limits of the Cantonments of Secunderabad and Aurangabad for the purposes of this Act and of all other enactments for the time being in force.”</p> <p>(3) Sections 4 to 8 shall be omitted.</p> <p>(4) In sub-section (1) of section 14—</p> <p>(i) for clause (b) the following shall be substituted, namely:—</p> <p>“(b) Magistrate of the first class nominated by the Secretary to the Local Government;”</p> <p>(ii) for clause (d) the following shall be substituted, namely:—</p> <p>“(d) the Senior Engineer of the Military Engineer Services in the Cantonment;”</p> <p>(iii) the proviso following clause (f) shall be omitted.</p> <p>(5) In section 27—</p> <p>(a) in clause (b) of sub-section (1)—</p> <p>(i) in sub-clause (iii) after the words “British India” the</p>

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
72. The Cantonments Act, 1924 (II of 1924)— <i>contd.</i>	.....	<p>words “ or in the Hyderabad State ” shall be inserted;</p> <p>(u) to sub-clause (iv) the words “ or of the Hyderabad Imperial Service Troops ” shall be added,</p> <p>(b) in clause (v) of sub-section (2) after the words “ British subject ” the words “ or a subject of His Exalted Highness the Nizam ” shall be inserted.</p> <p>(6) In sub-section (2) of section 28, after the words “ No person ” the words “ other than a Magistrate of the first class nominated under clause (b) of sub-section (1) of section 14 ” shall be inserted.</p> <p>(7) In sub-section (2) of section 41 and in sub-sections (2) and (3) of section 51, for the words “ District Magistrate ” the words “ Secretary to the Local Government ” shall be substituted.</p> <p>(8) In section 52—</p> <p>(a) in sub-section (1), after the words “ may at any time ” the words “ with the concurrence of the Local Government ” shall be inserted;</p> <p>(b) in sub-section (2), for clauses (b) and (c) the following shall be substituted, namely:—</p> <p>“ (b) with the concurrence of the Local Government:—</p> <p>(i) extend the duration of the order for such period as he thinks fit; or</p>



Enactments applied.	Areas to which applied.	Further modifications and restrictions.
72. The Cantonments Act, 1924 (II of 1924)— <i>contd.</i>	.....	<p>(ii) direct that the decision be carried into effect by the Board with such modifications as he may specify."</p> <p>(9) To section 59, the words "or authorised under the Secunderabad Cantonment Excise Rules, 1901, or the Hyderabad Intoxicating Drugs Law, 1918" shall be added.</p> <p>(10) In section 60, for the words "within the province" the words "in British India" shall be substituted.</p> <p>(11) In section 144, after the words "the Cantonment Authority may" the words "with the previous sanction of the Local Government" shall be inserted.</p> <p>(12) In sub-section (2) of section 277 for the words "District Magistrate" the words "District Judge" shall be substituted.</p> <p>(13) In sub-section (1) of section 280, the words "after previous publication" shall be omitted.</p> <p>(14) In the entries in column 3 of Schedule V relating to sections 140, 181, 185 and 206 for the words "Officer Commanding-in-Chief, the Command" the words "Secretary to the Local Government" shall be substituted.</p>
73. The Criminal Tribes Act, 1924 (VI of 1924).	Administered Areas in the Hyderabad State.	<p>Only the following sections shall apply as hereby modified, namely:—</p> <p>"23. (1) Whoever, being a member of any tribe, which has been declared to be a criminal tribe by or under any law for the time being in force in British India, and having been convicted of any of the offences under the Indian Penal Code as applied locally, specified in the schedule, is here-</p>

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
73. The Criminal Tribes Act, 1924 (VI of 1924)— <i>contd.</i>	.....	<p>after convicted of the same or any other offence specified in the said schedule, shall, in the absence of special reasons to the contrary, to be mentioned in the judgment of the Court, be punished,—</p> <p>(a) on a second conviction, with imprisonment for a term of not less than seven years, and</p> <p>(b) on a third conviction, with transportation for life:</p> <p>Provided that not more than one of any such convictions which may have occurred before the first day of March, 1911, shall be taken into account for the purposes of this sub-section.</p> <p>(2) Nothing in this section shall affect the liability of such person to any further or other punishment to which he may be liable under the Indian Penal Code, as locally applied, or any other law.</p> <p>24. Whoever, being a member of any tribe declared to be a criminal tribe by or under any law for the time being in force in British India, and being registered as a member of such tribe according to such law, is found in any place under such circumstances as to satisfy the Court—</p> <p>(a) that he was about to commit, or aid in the commission of, theft or robbery, or</p> <p>(b) that he was waiting for an opportunity to commit theft or robbery,</p> <p>shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine which may extend to one thousand rupees.</p>

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts 49  
locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
73. The Criminal Tribes Act, 1924 (VI of 1924)— <i>contd.</i>	.....	<p>25. Whoever, being a member of a tribe declared to be a criminal tribe by or under any law for the time being in force in British India, and being registered as a member of such tribe according to such law—</p> <p>(a) is found in any part of the Administered Areas in the Hyderabad State, or</p> <p>(b) escapes from an industrial, agricultural or reformatory settlement or school,</p> <p>may be arrested without warrant by any police officer and taken before a Magistrate, who, on proof of the facts, shall order him to be removed to the place in which he ought to have resided or to the settlement or school from which he has escaped (as the case may be), there to be dealt with in accordance with law.</p>

THE SCHEDULE.

(See section 23.)

CHAPTER XII.

Sections.

231. Counterfeiting coin.
232. Counterfeiting Queen's coin.
233. Making or selling instrument for counterfeiting coin.
234. Making or selling instrument for counterfeiting Queen's coin.
235. Possession of instrument or material for the purpose of using the same for counterfeiting coin.
239. Delivery of coin, possessed with the knowledge that it is counterfeit.

50 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—*Acts locally applied.*)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
73 The Criminal Tribes Act, 1924 (VI of 1924)— <i>contd</i>	.....	<p>Sections.</p> <p>240. Delivery of Queen's coin, possessed with the knowledge that it is counterfeit.</p> <p>Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof.</p> <p>242. Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.</p> <p>243. Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.</p> <p>CHAPTER XVI.</p> <p>299 Culpable homicide</p> <p>307. Attempt to murder.</p> <p>308. Attempt to commit culpable homicide.</p> <p>310. Being a thug.</p> <p>322. Voluntarily causing grievous hurt.</p> <p>324. Voluntarily causing hurt by dangerous weapons or means.</p> <p>326. Voluntarily causing grievous hurt by dangerous weapons or means.</p> <p>327. Voluntarily causing hurt to extort property or to constrain to an illegal Act.</p> <p>328. Causing hurt by means of poison, etc., with intent to commit an offence.</p> <p>329. Voluntarily causing grievous hurt to extort property or to constrain to an illegal act.</p> <p>333. Voluntarily causing hurt to deter public servant from his duty.</p> <p>333 Voluntarily causing grievous hurt to deter public servant from his duty.</p> <p>369. Kidnapping child under ten years with intent to steal from its person.</p>

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
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CHAPTER XVII.

73. The Criminal Tribes Act,  
 1924 (VI of 1924)—  
*contd.*

.....

Sections

- 382. Theft after preparation made for causing death, hurt or restraint, in order to the committing of the theft.
- 383. Extortion.
- 385. Putting person in fear of injury in order to commit extortion.
- 386. Extortion by putting a person in fear of death or grievous hurt.
- 387. Putting person in fear of death or grievous hurt in order to commit extortion.
- 390. Robbery.
- 391. Dacoity.
- 393. Attempt to commit robbery.
- 394. Voluntarily causing hurt in committing robbery
- 397. Robbery or dacoity, with attempt to cause death or grievous hurt.
- 398. Attempt to commit robbery or dacoity, when armed with deadly weapon.
- 399. Making preparation to commit dacoity.
- 402. Assembling for purpose of committing dacoity.
- 457. Lurking house-trespass or house-breaking by night, in order to the commission of an offence punishable with imprisonment.
- 458. Lurking house-trespass or house-breaking by night after preparation for hurt, assault or wrongful restraint.
- 459. Grievous hurt caused whilst committing lurking house-trespass or house-breaking.
- 460. All persons jointly concerned in lurking house-trespass or house-breaking by night punishable where death or grievous hurt caused by one of them ”.

74. The Indian Soldiers All (Litigation) Act, 1925 (IV of 1925).	Administered Areas in the Hydera- bad State.	Sub-section (3) of section F shall be omitted.
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52 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(V.—Acts locally applied.)

Enactments applied.	Areas to which applied.	Further modifications and restrictions.
75. The Provident Funds Act, 1925 (XIX of 1925).	All Administered Areas in the Hyderabad State.	Sub-section (3) of section 1 shall be omitted.
76. The Indian Succession Act, 1925 (XXXIX of 1925).	All Administered Areas in the Hyderabad State.	(1) Section 11 shall be omitted. (2) For section 382, the following shall be substituted, namely— “382. Where a certificate in the form of Schedule VIII to this Act has been granted by a Court having jurisdiction under the Act in British India or under the Act as applied in any area outside British India which is under the administration of the Governor General in Council, or where a certificate in the form, as nearly as circumstances admit, of the said schedule has been granted to a resident within a foreign State by the British representative accredited to that State, or where a certificate so granted has been extended in such form by such Court or by such representative, the certificate shall have the same effect as a certificate granted or extended under this Act.”
77. The Indian Trade Unions Act, 1926 (XVI of 1926).	All Administered Areas in the Hyderabad State.	Sub-section (3) of section 1 shall be omitted.

[Gazette of India, 1929, Pt. I, p. 581.]

*Indian Railways Act, 1890, and Indian Railway Board Act, 1905, applied to the Railway Lands.*

No. 784-I. B., dated the 9th April, 1913.—Printed in Appendix XXII.

## VI.—Local Laws.

*Rules to regulate the sale of liquor and intoxicating drugs to troops and camp followers in railway lands in the Administered Areas.*

No. 23, dated the 14th January, 1886.—If within the Railway limits or Rest Camps any person knowingly barter, sells, or supplies, or offers or attempts to barter, sell or supply, any spirituous liquor, wine, or intoxicating drug to or for the use of any European soldier, or to or for the use of any European or Eurasian being a camp follower or a soldier's wife without a written license from the <sup>1</sup>[District Magistrate for the Hyderabad Administered Areas, Secunderabad], or Officer Commanding the Detachment, the person so bartering, selling or supplying or offering or attempting to barter, sell or supply such liquor, wine, or drug, shall be liable, on conviction, to fine which may extend to one hundred rupees or to imprisonment for a term which may extend to three months, or, in lieu of such fine or imprisonment, to the punishment of whipping as prescribed for offences under <sup>2</sup>section 2 of Act No. VI of 1864 (to authorise the punishment of whipping in certain cases) subject to all the provisions of that Act.

*Proviso.*—Soldiers and their families travelling alone or in small parties not under the command of an officer will, on application at 2nd class Refreshment Rooms and provided the men are in uniform and sober, be supplied on payment with refreshments at the undermentioned rates. Only one pint of beer for each man or woman will be obtainable at a station:—

### *Great Indian Peninsula Railway.*

A pint bottle of English beer . . . . . 6 annas.

### *Madras Railway.*

A pint bottle of English beer . . . . . 6 annas.

### *Nizam's Guaranteed State Railway.*

A pint bottle of English beer . . . . . 6 annas.

2. If any person convicted of an offence under Rule 1 is again convicted of an offence under that rule, any spirituous liquor, wine, or intoxicating drug within such limits which, at the time of the commission of such subsequent offence, belongs to him, or is in his possession, shall, without further proof, be deemed to be in his possession for the purpose of being supplied to European soldiers contrary to the provisions of these rules.

<sup>1</sup> Substituted by Notification No. 4-J., dated the 10th January, 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 18.

<sup>2</sup> See now section 2 of Act IV of 1909 as applied by Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

3. If any person is found committing any offence contrary to Rule 1, any police officer may immediately without warrant arrest such person, and also seize any spirituous liquor, wine, or intoxicating drug which may be found within such limits in his possession, and shall thereupon without delay take such person, together with the things so seized, before the <sup>1</sup>[District Magistrate for the Hyderabad Administered Areas, Secunderabad].

4. In case of a conviction for any offence under Rule 1, the <sup>1</sup>[District Magistrate for the Hyderabad Administered Areas, Secunderabad] may adjudge any liquor, wine or intoxicating drug in respect of which the accused is convicted, and any other spirituous liquor, wine or intoxicating drug found in his possession within such limits at the time of committing the offence, to be confiscated, and the <sup>1</sup>[District Magistrate for the Hyderabad Administered Areas, Secunderabad] may order the whole or any part or parts of any fine imposed under these rules to be paid, as soon as the same is realized, to the person upon whose information such conviction takes place, or to the officer who has apprehended the offender or seized any spirituous liquor, wine or intoxicating drug, adjudged to be confiscated.

5. Anything seized under Rule 3 in respect of which any person is charged with an offence under these rules may be ordered to be detained until the person in whose possession the same has been seized is convicted or acquitted of the offence charged. If such person is acquitted, anything so seized shall be restored; if he is convicted, such of the things only, if any, as are not adjudged by the <sup>1</sup>[District Magistrate for the Hyderabad Administered Areas, Secunderabad] to be confiscated, shall be restored; the remainder shall be dealt with as confiscated.

[*Hyderabad Residency Orders*, 1886, Pt. I, p. 25.]

*Arms Rules for the railway lands in the Administered Areas*

No. 4080-I., dated the 3rd December, 1890.—Whereas His Highness the Nizam of Hyderabad has granted to the British Government full jurisdiction within the lands in his territory which are occupied, or may be hereafter occupied, by His Highness the Nizam's Guaranteed State Railways Company, by the Great Indian Peninsula Railway, and by the Madras Railway, respectively (including the lands occupied as stations, for out-buildings, and for other railway purposes): In exercise of this jurisdiction and of the powers conferred by <sup>2</sup>sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased

<sup>1</sup> Substituted by Notification No. 4-J., dated the 10th January, 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 13

<sup>2</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.



to direct that the following rules shall be enforced on the aforesaid Railways within the Hyderabad State:—

1. *Definitions.*—<sup>1</sup>[" Cannon," " arms," " ammunition " and " military stores " have respectively the meanings assigned to them in the Indian Arms Act, 1878 (XI of 1878), except that the expression " military stores " includes sulphur when in quantities exceeding ten seers in weight and leaden bird-shot and bullets when possessed in quantities exceeding one hundredweight at any one time.]

" Export " means transmission from any station within to any station without the Hyderabad State.

" Import " means transmission from any station without to any station within the Hyderabad State.

" Transport " means transmission from one station to another, both being situated within the Hyderabad State.

*Explanation.*—Stations on the Great Indian Peninsula Railway in Berar are not, for the purposes of these rules, to be regarded as within the Hyderabad State.

2. *Export.*—(a) The export, without the special permission of the Resident, of arms, ammunition, or military stores is forbidden.

(b) Station Masters to whom arms, ammunition, or military stores unaccompanied by evidence of such special permission are tendered for despatch shall detain them and report the matter through the Superintendent of Railway Police for the orders of the Resident.

3. *Import.*—Arms, ammunition, or military stores imported by rail shall not be delivered to any importer or consignee unless—

(a) the importer or consignee produces the original license issued by the Secretary to the Government of India, Foreign Department, the Commissioner of Police at Bombay or Madras, the Deputy Commissioner of Police at Calcutta, or other competent authority as the case may be, authorising the import, and

(b) the senior police officer at the station to which the consignment is consigned has compared the consignment with the license and authorised the Station Master to make delivery.

For the purpose of making the comparison required by clause (b) the police officer shall have power to open any package which he thinks suspicious.

4. Every Station Master shall give information to the officer mentioned in clause (b) of the preceding rule of the arrival at his station of any consignment of imported arms, ammunition, or military stores.

<sup>1</sup> Substituted by Notification No. 2136-I. B., dated the 5th August, 1898. *Gazette of India*, 1898, Pt. I, p. 879.

5. A Station Master, at whose station a consignment of imported arms, ammunition, or military stores arrives, may, after obtaining the sanction of the Superintendent of Railway Police, but not otherwise, forward the consignment, should the owner or consignee desire him to do so, to any other station in the Hyderabad State.

6. *Transport.*—No license shall be necessary in respect of arms and ammunition tendered for despatch from one station to another within the Hyderabad State, but immediate information regarding such consignment shall be given to the senior police-officer at the stations of despatch and receipt by the Station Masters concerned.

7. *Carrying of arms by passengers.*—Arms shall not in ordinary cases be taken from passengers; but if a Station Master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may refuse to carry the passenger, unless he delivers up his arms. If the passenger gives up his arms, they shall be labelled with the name and description of the owner, entered in the road-way bill, and delivered free of charge to the owner at his journey's end: *Provided* that no native gentlemen, or other person who has a license to carry arms granted by competent authority, shall, except in the case of evident and undoubted necessity, be asked to give up his personal arms under this rule.

8. *Obligation to give information.*—Every person employed upon the Railway shall, in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest police-officer regarding any box, packet, or bale in transit which he has reason to believe contain arms, ammunition, or military stores in respect of which an offence against these rules has been, or is being, committed.

9. *Penalties.*—(i) Whoever commits any of the following offences (namely):—

(a) exports any arms, ammunition, or military stores without obtaining the special permission of the Resident at Hyderabad,

(b) imports any arms, ammunition, or military stores without obtaining a license,

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(ii) Whoever commits any of the following acts in respect of arms, ammunition or military stores (namely):—

(a) imports quantities in excess of the quantities entered in his license,

(b) causes the articles imported to be brought to a station other than that mentioned in the license,

(c) imports after the expiration of the period for which the license has been granted,

(d) omits to give information as required by Rule 8,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

10. *Confiscation of arms, etc.*—(1) When a Magistrate convicts any person under the last preceding rule he may direct that the arms, ammunition, or military stores in respect of which the conviction is obtained, or if the conviction is for importing arms, ammunition, or military stores in excess of the quantities entered in a license, that such excess shall be confiscated.

(2) A Magistrate shall have the same power with respect to arms, ammunition, and military stores, regarding which there is reasonable ground to believe that they have been imported contrary to these rules but in respect of which no conviction has been obtained because the owner or consignee cannot be found. In such cases, notice calling upon the owner to appear shall be published for three months at the railway station to which the arms, ammunition, or military stores have been brought, and at such other places as the Magistrate thinks necessary.

11. When a Magistrate confiscates any arms, ammunition or military stores, he may also confiscate any boxes, bales, or the like in which they may have been placed, together with their contents.

12. The orders of the Resident shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

13. *Rewards.*—(1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one-half the sale price of any confiscated articles sold under these rules, to any person, whether in the employ of a Railway Company or not, who has given information leading to a conviction.

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Resident.

14. These rules supersede the rules made by the Resident at Hyderabad, with the concurrence of His Highness the Nizam's Government, on the 21st May 1883.

[*Gazette of India*, 1890, Pt. I, p. 863.]

#### *Exemption of Kirpans.*

No. 326-G., dated the 4th April, 1918.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor

General in Council is pleased to direct that *Kirpans*, when possessed or carried by Sikhs in the railway lands in the Hyderabad State which are under the administration of the Resident at Hyderabad, shall be exempt from all prohibitions contained in the rules published with the notification<sup>1</sup> of the Government of India in the Foreign Department, No. 4080-I., dated the 3rd December 1890, as subsequently amended.

[*Gazette of India*, 1918, Pt. I, p. 471.]

*Publication of newspapers and other printed works in the Administered Areas.*

No. 2651-I., dated the 25th June, 1891.—Printed in Appendix XVII.

*Provision for execution in British India of capital sentences passed in Administered Areas.*

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

*Hyderabad Residency Bazars Regulation, 1895.*

No. 3001-I., dated the 10th September, 1895.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879),<sup>2</sup> and of all other powers enabling him in this behalf, the Governor General in Council is pleased to declare that the following Regulation shall come into force in the Hyderabad Residency Bazars from the date of this notification:—

#### CHAPTER I.—PRELIMINARY.

1. *Short title, local extent, and commencement.*—(i) This Regulation may be called “ a Regulation for the better administration of the Hyderabad Residency Bazars, 1895 ”.

(ii) It extends to the whole of the Hyderabad Residency Bazars as defined from time to time by notification in the *Residency Orders*.

(iii) It shall come into force on such day as the Governor General in Council by notification in the *Gazette of India* appoints in that behalf.

(iv) On and with effect from that day, the Local Fund Rules for the Residency Bazars, Hyderabad, 1884, sanctioned under the notification by the Government of India in the Foreign Department, No. 250-I., dated the 18th January 1893, shall be cancelled.

But all orders, declarations, rules and regulations made, directions, licenses and permits given, taxes imposed, and notifications published

<sup>1</sup> Printed immediately above.

<sup>2</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

under any of the said rules shall be deemed to have been respectively made, given, imposed, and published under this Regulation.

2. *Definitions*.—In this Regulation, unless there is anything repugnant in the subject or context,—

- (i) “Committee” means the Committee constituted under the Regulation:
- (ii) “Resident” means the Resident at Hyderabad:
- (iii) “inhabitant” includes any person ordinarily residing or carrying on business or owning or occupying immovable property in the area to which this Regulation extends:
- (iv) “street” includes any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not, over which the public have a right of way, and also the roadway and footway over any public bridge or causeway:
- (v) “owner” includes the person for the time being receiving the rent of any land or building, whether on his own account or as agent or trustee for any person or society or for any religious or charitable purpose or who would so receive the same if the land or building were let to a tenant:
- (vi) “notification” means a notification published by authority of the Resident in the *Residency Orders*:
- (vii) “notified” means published as aforesaid:
- (viii) “prescribed” means prescribed by rules made by the Resident under this Regulation: and
- (ix) <sup>1</sup>[“Superintendent” means the officer appointed by the Resident for the time being to hold charge of the Residency Bazars.]

## CHAPTER II.—ORGANISATION AND CONSTITUTION OF THE COMMITTEE.

3. *Constitution of Committee*.—There shall be established a Committee consisting of—

- (a) the Superintendent;
- (b) such persons, not less than six as the Resident may appoint in that behalf.

4. *Term of office of an appointed member*.—(i) The term of office of a member of the Committee shall be fixed by the Resident, by rule made under this Regulation, and may be so fixed as to provide for the retirement of members by rotation, but shall not exceed three years.

<sup>1</sup> Substituted by Notification No. 989-I. B., dated the 2nd May, 1912. *Gazette of India*, 1912, Pt. I, p. 525.

(ii) An outgoing member shall, if otherwise qualified, be again eligible for appointment.

5. *Resignation of an appointed member.*—Any member may resign by notifying in writing his desire to do so to the Superintendent, and, on his resignation being accepted by the Resident, he shall be deemed to have vacated his office.

6. *Powers of Resident to remove appointed members.*—The Resident may remove any appointed member of a Committee—

- (a) if he refuses to act, or becomes in the opinion of the Resident incapable of acting, or is declared insolvent, or is convicted of any such offence or subjected by a Criminal Court to any such order as implies, in the opinion of the Resident, a defect of character which unfits him to be a member;
- (b) if he has been declared by notification to be disqualified for employment in the public service;
- (c) if he, without an excuse sufficient in the opinion of the Resident, neglects for more than three consecutive months to be present at the meetings of the Committee;
- (d) if his continuance in office is, in the opinion of the Resident, dangerous to the public peace or order; or
- (e) when he is a salaried officer of the Government, if his continuance in office is, in the opinion of the Resident, unnecessary or undesirable.

7. *Time of Committee coming into existence.*—The Committee shall come into existence at such time as the Resident may, by notification, appoint in that behalf.

8. *Consequences of establishment of the Committee.*—When the Committee comes into existence under section 7, the following consequences shall ensue, namely:—

- (a) the Committee constituted under the Local Fund Rules, 1884, shall cease to exist;
- (b) and all property vested in it shall, for the purposes of this Regulation and subject to all rights (if any) existing over, and all debts, liabilities and obligations (if any) affecting that property, form part of the Residency Bazar Fund hereinafter described;
- (c) an officer employed by the Committee mentioned in clause (a) at the time when the Committee established under this Regulation comes into existence shall be deemed to be similarly employed by the latter Committee; and

- (d) the Committee established under this Regulation shall be substituted for the abolished Committee in all legal proceedings by or against the latter pending at the time when it ceased to exist.

*Chairman and Vice-Chairman.*

9. *The duties of the Superintendent.*—(i) The Superintendent shall be *ex-officio* Chairman of the Committee.

(ii) The Superintendent shall be responsible for the proper maintenance of the accounts: he shall prepare the annual budget and such supplementary budgets as may from time to time be necessary, and the annual administration report, and lay the same before the Committee:

Provided that the Superintendent shall not incur any expenditure not provided for in the budget without the sanction of the Resident.

10. *Election of Vice-Chairman.*—(i) The Committee shall, from time to time, elect one of its members to be its Vice-Chairman.

(ii) The term of office of a Vice-Chairman shall be one year:

Provided that, if at the time of his election as Vice-Chairman, the residue of his term of office as member of the Committee is less than one year, his term of office as Vice-Chairman shall be the residue of his term as member.

(iii) An outgoing Vice-Chairman shall, if otherwise qualified, be again eligible for election as Vice-Chairman.

(iv) The Vice-Chairman may resign by notifying in writing his intention to do so to the Superintendent, and, on his resignation being accepted by the Resident, he shall be deemed to have vacated his office.

*Conduct of Business.*

11. *Time for holding meetings.*—(i) The Committee shall meet for the transaction of business at least once in every month on such day as may, from time to time, be fixed by the rules made under section 101.

(ii) The Chairman may, whenever he thinks fit, convene a meeting at any other time.

12. *Quorum.*—(i) The quorum necessary for the transaction of business at a meeting of the Committee shall be one-third of the whole Committee.

13. *Chairman of meeting.*—(i) At every meeting of the Committee the Chairman, if present, shall preside.

(ii) In the absence of the Chairman the Vice-Chairman shall preside.

(iii) If both Chairman and Vice-Chairman are absent, the senior member present shall preside.

14. *Vote of majority decisive.*—(i) Except as otherwise provided by this Regulation, or by any rule made by the Resident under this Regulation, all questions which may come before any meeting of the Committee shall be decided by the majority of the vote of the members present.

(ii) In case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

15. The following are the powers and duties of the Committee:—

- (a) to submit through the Superintendent for the Resident's approval or orders the budget and supplementary budgets prepared by the Superintendent with such remarks as may appear to it advisable;
- (b) to consider the annual administration report prepared by the Superintendent, and to submit it through that officer to the Resident with such remarks as may appear to it advisable;
- (c) to express an opinion on all matters laid before it by the Superintendent;
- (d) to call the attention of the Superintendent to any neglect of the provisions of this Regulation, to any waste of property under its management, and to the wants of any locality, and to suggest any improvement that may seem desirable.

16. *Certain officers entitled to attend and speak.*—The Residency Surgeon and the Assistant Secretary to the Resident in the Public Works Department, when not members, shall be entitled to attend any meeting of the Committee, and to address the Committee on any matter affecting respectively sanitation and public works.

17. *Resolutions to be recorded and published.*—(i) Every resolution passed by the Committee at a meeting shall be recorded in a book kept for the purpose and shall be signed by the Chairman.

(ii) A copy of every resolution passed by the Committee at a meeting shall, within ten days from the date of meeting, be forwarded to the First Assistant Resident, for the information of the Resident.

#### *Officers and Servants.*

18. *Employment of other officers and servants.*—Subject to the other provisions of this Regulation and to the general control of the Resident, the appointment of such officers and servants as may be necessary or proper for the efficient execution of the provisions of this Regulation shall rest with the Superintendent.



19. *Pensions of officers.*—In the case of an officer or servant appointed under the preceding section or employed under section 8 (c), the Superintendent may—

<sup>1</sup>[(i) grant him leave allowances; and]

<sup>2</sup>[(ii) if he is not entitled to pension or if his monthly pay does not exceed ten rupees or if he is not a subscriber to any provident fund established and maintained by the Committee, grant him a gratuity on resignation or retirement; or

(iii) if he is a subscriber to any such provident fund subscribe on his behalf to such fund; or]

<sup>2</sup>(iv) [in any other case]

if empowered in this behalf by the Resident—

(a) subscribe on his behalf for pension or gratuity under the rule contained in the Civil Service Regulations for the time being in force; or

(b) purchase for him from the Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave allowance or annuity shall exceed the sum to which, under the Civil Service Regulations for the time being in force, the officer or servant would be entitled if the service had been service under the Government.

### *Contracts.*

20. *Authority to contract*—(i) The Superintendent may, on behalf of the Committee, enter into any contract whereof the value or amount does not exceed two hundred rupees.

(ii) A contract whereof the value or amount exceeds two hundred rupees shall not be executed until it has been sanctioned by the Committee at a meeting.

21. *Mode of executing contracts.*—(i) Every contract made by or on behalf of the Committee whereof the value or amount exceeds fifty rupees, shall be in writing.

(ii) Every such contract shall be signed by the Superintendent.

(iii) If a contract to which this section applies is executed otherwise than in conformity therewith, it shall not be binding on the Committee.

<sup>1</sup> Substituted by Notification No. 457-I., dated the 25th July, 1928. *Gazette of India*, 1928, Pt. I, p. 683.

<sup>2</sup> Inserted and renumbered by ditto.

CHAPTER III.—TAXATION.

22. *Taxes which may be imposed.*—(i) Subject to any general rules or special orders which the Governor General in Council may make in this behalf the Resident may, from time to time, for the purpose of this Regulation and in the manner by this Regulation directed, impose in the area to which this Regulation extends any of the following taxes, namely:—

- (a) a tax on buildings and lands not exceeding seven-and-a-half per centum on the annual value;
- (b) a tax on persons practising any profession or art or carrying on any trade or calling in the Residency Bazars not exceeding two-and-a-half per centum on the annual income derived from such practice;
- (c) a tax not exceeding Rs. <sup>1</sup>[6] a quarter on every vehicle, animal used for riding, driving, draught or burden, or dog kept within the Residency Bazars;
- (d) a toll not exceeding one anna on every vehicle and animal used as aforesaid entering the Residency Bazars;
- (e) an octroi on animals for slaughter, or goods, or both, brought within the Residency Bazars for consumption or used therein, such octroi not exceeding one anna on each animal and not exceeding Rs. 4 a maund or 4 per centum *ad valorem* on any such goods as aforesaid;

and, with the previous sanction of the Governor General in Council, any other taxes:

Provided that any person may compound for exemption from all tolls leviable in respect of any animal or vehicle under clause (d) of this subsection by paying the tax which would have been leviable in respect thereof under clause (c) if the same had been kept within the area to which the Regulation extends.

(ii) In this section “annual value” means the gross annual rent for which buildings or lands liable to taxation may reasonably be expected to let.

23. *Taxes.*—When the Committee has, with regard to any buildings or lands, in exercise of the powers conferred by this Regulation, provided for the performance by its agents of the duties usually performed by sweepers, it may, with the previous sanction of the Resident and in the manner by this Regulation directed, impose upon those buildings, and lands, in addition to any other tax imposed upon them under this

<sup>1</sup> Substituted by Notification No. 528-I., dated the 27th September, 1927. *Gazette of India*, 1927, Pt. I, p. 925.

Regulation, a tax, to be called the scavenging-tax, at such rate or of such amount as it thinks fit:

Provided that in fixing the rate or amount of such tax regard shall be had to the principle that the total net proceeds of the tax should not exceed the cost of the performance of the said duties.

24. *Water-tax.*—Besides the taxes mentioned in the foregoing sections, the Committee, with the previous sanction of the Resident, may, for the purpose of constructing or maintaining works for the supply of water or paying the principal or interest of any loan raised for the construction of such works, impose, in the manner by this Regulation directed, a tax, to be called the water-tax, upon buildings or lands which are so situated that their occupiers can benefit by the works:

Provided that, in fixing the rate of such tax, regard shall be had to the principle that the total net proceeds of the tax, with the estimated income from payments for water supplied from the works under special contracts should not exceed the amount required for the said purpose.

25. *Notification of and powers to abolish and reduce taxes*—No tax shall come into force until one month after it has been notified. The Resident may, by notification, abolish or reduce in amount any tax imposed under the foregoing sections.

26. *Power to exempt from taxation.*—(1) The Committee may by resolution exempt in whole or in part from the payment of any such tax any person who by reason of poverty may in its opinion be unable to pay the same.

(2) The Governor General in Council may, by order, exempt in whole or in part from the payment of any such tax any person or class of persons or any property or description of property.

27. *Taxes not invalid for defect of form.*—No tax imposed under this Regulation shall be invalid merely for defect of form; and it shall be enough in the case of any such tax on property or any assessment of value for the purpose of any such tax, if the property taxed or assessed is so described as to be generally known; and it shall not be necessary to name the owner or occupier thereof.

28. *Taxes when paid.*—Any tax imposed under the foregoing sections and payable periodically shall be payable on such dates and in such instalments (if any) as the Resident may, from time to time, prescribe.

29. *Receipts to be given.*—For all sums paid on account of any tax under this Regulation, a receipt stating the amount and the tax on account of which it is paid, shall be given on his application, to the person making the payment.

30. *Appeals against taxation.*—(i) An appeal against the assessment or levy of any tax under this Regulation shall lie to the First Assistant to the Resident.

(ii) The order of the appellate authority shall be final.

31. *Limitation for appeals.*—(i) No appeal shall lie in respect of a tax on any building or land, unless it is preferred within one month after the publication of the notice of assessment to be prescribed under section 101, and no appeal shall lie in respect of any other tax unless it is preferred within one month from the time when the demand for the tax is made:

Provided that an appeal may be admitted after the expiration of the period prescribed therefor by this section if the appellant satisfies the appellate authority that he had sufficient cause for not presenting it sooner.

(ii) No appeal shall be entertained unless the amount of the tax to which it relates is deposited with the Committee before the appeal is preferred.

32. *Taxation not to be questioned except under the Law.*—No objection shall be taken to any valuation or assessment, nor shall the liability of any person to be assessed or taxed be questioned, in any other manner or by any other authority than in this Regulation provided.

33. *Power to examine article liable to octroi.*—Every person bringing or receiving within the Residency Bazars any article on which octroi is payable, shall, when required by an officer authorised by the Superintendent in that behalf and so far as may be necessary for ascertaining the amount of tax chargeable,—

(a) permit that officer to inspect, examine, weigh or otherwise deal with the article, and

(b) communicate to that officer any information and exhibit to him any bill, invoice or document of a like nature that he may possess relating to the article.

34. *Power to search where octroi is leviable.*—If after the imposition of an octroi tax any person bringing or receiving a conveyance or package within the Residency Bazars refuses, on the demand of an officer authorized by the Superintendent in this behalf, to permit such officer to inspect the contents of the conveyance or package for the purpose of ascertaining whether it contains any articles in respect of which octroi is payable, such officer may cause the conveyance or package to be taken without unnecessary delay before a Magistrate, who shall cause the inspection to be made in his presence.

35. *Presentation of bill for octroi.*—Every officer demanding octroi by authority of the Superintendent shall tender to every person intro-

ducing or receiving any article on which the tax is claimed, a bill specifying the article taxable, the amount claimed, and the rate at which the tax is calculated.

36. *Recovery of octroi.*—(i) In case of non-payment of octroi on demand, the officer empowered to collect the same may seize any article on which it is chargeable, or any part thereof of sufficient value to satisfy the demand.

(ii) The Superintendent may, after the lapse of five days from the seizure and the issue of a proclamation fixing the time and date of sale, cause property so seized, or so much thereof as is necessary, to be sold by auction to satisfy the demand, with the expenses occasioned by the seizure, custody and sale thereof, unless the demand and expenses are in the meantime paid:

Provided that articles of a perishable nature may be sold after the lapse of such shorter time as the Superintendent, having regard to the nature of the articles, may think necessary in order to avoid serious risk or damage.

#### CHAPTER IV.—RESIDENCY BAZARS FUND AND PROPERTY.

37. *Constitution of Residency Bazars Fund.*—(i) There shall be formed a Residency Bazars Fund, and there shall be placed to the credit thereof—

- (a) all sums received by or on behalf of the Committee under this Regulation or otherwise;
- (b) all fines realised in cases in which prosecutions are instituted under this Regulation or the rules made hereunder, or under section 34 of Act V of 1861 for offences committed within the Residency Bazars;

(c) the property described in section 8 (b) of this Regulation: and this fund, together with all property purchased at its expense, and all property of the nature hereinafter in this section specified and situated within the Residency Bazars, shall be vested in, and belong to the Resident; and subject to the provisions of this Regulation and of the rules framed thereunder and to the control of the Resident, the management thereof shall be entrusted to the Committee.

(ii) The property referred to in clause (c) of sub-section (i) includes—

- (a) all public streets and bridges and the pavements, stones and other materials thereof;
- (b) all land or property acquired by Government or by the Resident or Committee for local public purposes, and all open spaces, not being private property, adjacent to any street or appertaining to any public place or building or which

now are managed by or under the control of the Committee;

- (c) all public sewers, drains, culverts and water-courses alongside or under any public street, and all works, materials and things appertaining thereto; and
- (d) all dust, dirt, sewage, refuse, filth and rubbish of any kind, collected by the Committee from the streets, houses, privies, sewers, cesspools or elsewhere, or deposited in any place set apart by them for that purpose.

38. *Application of fund.*—(i) The Superintendent shall, subject to the provisions of the Regulation, set apart and apply annually out of the Residency Bazars Fund—

- (a) *first*, such sum as may be required for the payment of any amount, falling due on any loan legally contracted for, or on behalf of, the Committee;
- (b) *secondly*, such sum as may be required to meet the charges of the Committee's establishment, including such subscriptions, contributions and payments as are referred to in section 19, and such sum as may be required for the maintenance of a police establishment under Chapter V of this Regulation.

(ii) Subject to the charges specified in sub-section (i) and to such rules as the Resident may make with respect to the priority to be given to the several duties of the Committee, the Residency Bazars Fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the following matters within the Residency Bazars, namely:—

- (a) the construction, maintenance, improvement, cleansing and repair of public streets, bridges, drains, latrines, and water-courses;
- (b) the watering and lighting of such streets or any of them;
- (c) the construction, establishment and maintenance of rest-houses, markets, pounds and other works of public utility;
- (d) grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper asylums and other educational or charitable institutions;
- (e) the supply, storage and preservation from pollution of water for the use of men or animals;
- (f) the planting and preservation of trees;
- (g) the taking of a census, the registration of births, marriages and deaths, public vaccination, and any other sanitary measure;

(h) the destruction of stray and ownerless dogs;

(i) all acts and things which are likely to promote the safety, health, welfare or convenience of the inhabitants, or expenditure whereon may be declared by the Committee, with the sanction of the Resident, to be an appropriate charge on the Residency Bazars Fund.

39. *Custody of Residency Bazars Fund.*—The Residency Bazars Fund may be deposited with the Bank of Bengal or with any banker or person acting as a banker, who has given such security for the safe custody and repayment on demand of the fund so deposited as the Resident may in each case think sufficient.

40. *Investment of same.*—(i) The Committee may, from time to time, with the previous sanction of the Resident, invest any portion of the Residency Bazars Fund in securities of the Government of India or such other securities as the Governor General in Council may, from time to time, approve in this behalf, and vary such investments for others of a like nature.

(ii) The income resulting from the securities and the proceeds of the sale of the same shall be credited to the Residency Bazars Fund.

#### CHAPTER V.—RESIDENCY BAZARS POLICE.

41. *Police establishment.*—There shall be maintained out of the Residency Bazars Fund a police establishment for watch and ward and the prevention and suppression of crime within the Residency Bazars, and for the enforcement of this Regulation and of the rules and orders thereunder. This establishment shall be a part of the general police force under the Resident within the meaning of section 2 of Act V of 1861, and shall consist of such number of officers and men, and the officers and men shall receive such pay, leave allowances, gratuities and pensions, as the Resident may direct.

42. *Entertainment of special police.*—When special police protection is, in the opinion of the Resident, requisite as on the occasion of any fair, show, exhibition, religious ceremony or festival, the Resident may provide such protection, and shall debit against the Residency Bazars Fund so much of the cost thereof as he may think equitable.

#### CHAPTER VI.—POWERS FOR SANITARY AND OTHER PURPOSES.

##### *Streets and Buildings.*

43. *Power to acquire land for building sites adjoining new streets.*—When any land is required for a new street or for the improvement of an existing street, the Committee may cause to be acquired, in addi-

tion to the land to be occupied by the street, the land necessary for the sites of the buildings to be erected on the sides of the street.

44. *Power to close streets.*—The Superintendent, with the concurrence of the Committee, may close temporarily any streets or parts thereof for any public purpose, and with the Resident's permission may divert, discontinue or permanently close any street.

45. *Power to permit temporary occupation of street, etc.*—The Superintendent may grant permission in writing for the temporary occupation of any street for the deposit of materials, temporary excavation or erection subject to such conditions and the payment of such fees as the Resident may prescribe, and may at his discretion withdraw such permission.

46. *Power to attach brackets for lamps.*—The Superintendent may attach to the outside of any building brackets for lamps in such manner as not to cause injury thereto or inconvenience.

47. *Names of streets and numbers of buildings.*—The Committee at a meeting may name any street, and the Superintendent may cause that name and likewise any number to be affixed on any building, and may from time to time cause the same to be altered.

Whoever destroys, pulls down, alters or defaces any such name or number shall, on conviction by a Magistrate, be punished with a fine that may extend to twenty rupees.

48. *Notice of new buildings.*—Every person intending to erect, re-erect, alter or repair any upper storey or other building shall give notice of his intention to the Superintendent, and shall, if required to do so, submit a plan showing the levels at which the foundations and lowest floor are proposed to be laid and specifications of the works intended to be constructed and the materials to be used, and shall obey any written directions consistent with this Regulation given by the Superintendent thereupon; and the Superintendent, with the concurrence of the Committee, may prohibit such erection, re-erection, alteration or repair, if in his opinion it is likely to be injurious to the neighbourhood or in respect of free passage or roadway, free circulation of air, facilities of scavenging, ventilation, drainage level, stability, line of frontage or any other matter which the Resident may from time to time prescribe.

Provided that no compensation shall be claimable on account of any direction or prohibition under this section.

If the erection, re-erection, alteration or repair of any building is begun without the permission of the Superintendent, or in disobedience to any direction issued by the Superintendent, under this section, or continued contrary to those directions, the Superintendent may, by notice, require such building to be altered or demolished, and the person so



erecting, re-erecting, altering or repairing shall, on conviction by a Magistrate, be liable to a fine not exceeding five hundred rupees.

<sup>1</sup>[Every sanction for the erection, re-erection, alteration or repair of a building given by the Superintendent shall be available for six months from the date on which the notice became valid and complete, and no longer; and if the building so sanctioned is not begun by the person who has obtained the sanction, or some one lawfully claiming under him, within that period, it shall not thereafter be begun without fresh sanction, but such person as aforesaid may at any subsequent time give fresh notice to the Superintendent in the manner hereinbefore prescribed, and thereupon the provisions hereinbefore contained shall apply to the fresh sanction:

Provided that no sanction under this section shall act as a bar to any proceedings under sections 62 to 74.]

49. *Removal of obstructing projections and encroachments.*—The Superintendent, with the concurrence of the Committee, may by notice in writing, require the owner or occupier of any building to remove or alter any projection, encroachment or obstruction built or placed against or in front thereof, if the same overhangs or projects into or encroaches on any street, public drain, aqueduct or sewer.

50. *Bathing and washing places.*—The Committee may set apart suitable places for the purpose of bathing, and may specify the times at which, and the sex of the persons by whom, such places may be used, and may also set apart suitable places for washing animals or clothes, or for any purpose connected with the health, cleanliness or comfort of the inhabitants; and may, by public notice, prohibit bathing, or the washing of animals or clothes, in any public place not so set apart or at times by persons other than those specified, and all other acts by which water in public places may be rendered foul or unfit for use.

#### *Deposit of Offensive Matter and Slaughter-places.*

51. *Removal and deposit of offensive matter.*—The Committee may fix places within, or, with the approval of the Resident, beyond, the limits of the Residency Bazars for the deposit of refuse, rubbish or offensive matter of any kind or for the disposal of the dead bodies of animals, and may by public notice give directions to the time, manner and conditions at, in and under which such refuse, rubbish or offensive matter or the dead bodies of animals may be removed along any street and deposited at such places.

52. *Places for slaughter of animals.*—(i) The Committee may fix and abolish places either within, or, with the approval of the Resident,

<sup>1</sup> Added by notification No 532-I. B., dated the 7th April, 1914. *Gazette of India*, 1914, Pt. I, p. 852.

beyond, the limits of the Residency Bazars for the slaughter of animals or any specified description of animals for sale, and may, with the like approval, grant and withdraw licenses for the use of such places, or, if they belong to the Committee, charge rent or fees for the use of the same.

(ii) When any such place has been fixed, no person shall slaughter any such animal for sale within the Residency Bazars at any other place.

(iii) Whoever slaughters any such animal at any other place for sale within the Residency Bazars shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

#### *Burial and Burning-places.*

53. *Powers in respect of burial and burning-places.*—(i) The Committee may by public notice order any burial or burning ground which is, in its opinion, dangerous to the health of persons living in the neighbourhood, to be closed from a date to be specified in the notice.

(ii) Private burial-places in such burial-grounds may be excepted from the notice, subject to such conditions as the Committee may impose in this behalf.

(iii) No burial or burning-ground, whether public or private, shall be made or formed after the passing of this Regulation without the permission in writing of the Resident.

(iv) If any person buries or burns, or causes or permits to be buried or burnt, any corpse in any burial or burning-ground made or formed contrary to the provisions of this section, or after the dates fixed thereunder for closing the same, he shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

(v) The Resident may by notification prescribe routes for the removal of corpses to burial or burning-places.

#### *Inflammable Materials.*

54. *Inflammable materials.*—The Superintendent may, where it appears to him to be necessary for the prevention of danger to life or property, by public notice prohibit all persons from stacking or collecting dry grass, straw or other inflammable materials, or placing mats, or erecting booths or thatched huts, or lighting fires in any place or within any limits specified in the notice.

#### *Powers of Entry and Inspection.*

55. *Inspection of drains, privies and cess-pools.*—(i) The Superintendent, or any person authorised by him in this behalf, may, after

giving six hours' notice in writing to the occupier of any land or building in which any drain, privy or cess-pool is situated, inspect any such drain, privy or cess-pool at any time between sunrise and sunset, and may, if necessary, cause the ground to be opened wherever he may think fit for the purpose of preventing or removing any nuisance arising therefrom.

(ii) If on such inspection it appears that the opening of the ground was necessary for the prevention or removal of a nuisance, the expenses thereby incurred shall be paid by the owner of the land or building or by the occupier, as the Superintendent may direct; but if it is found that no nuisance exists, or but for such opening would have existed, the ground shall be closed and made good as soon as may be, and the expense of opening, closing and making it good shall be paid from the Residency Bazars Fund.

56. *Power to enter and inspect buildings, etc.*—The Superintendent, or any person authorized by him in this behalf may, after giving twenty-four hours' notice in writing to the occupier, or, if there is no occupier, to the owner, of any building, at any time between sunrise and sunset enter and inspect the building, and may by notice direct all or any part thereof to be forthwith internally or externally lime-washed, disinfected or otherwise cleansed for sanitary reasons.

57. *Other powers of entry on building or land.*—The Superintendent, or any person authorized by him in this behalf may, after giving twenty-four hours' notice in writing to the occupier, or if there is no occupier, to the owner, of any building or land at any time between sunrise and sunset:—

- (a) enter on and survey and take levels of any land;
- (b) enter, inspect and measure any building for the purpose of valuation; or
- (c) enter into any building or any land for the purpose of examining works under construction, of ascertaining the course of sewers or drains or of executing or repairing any work authorised by this Regulation.

58. *Power to enter for discovery of vehicles or animals liable to taxation.*—The Superintendent, or any person authorized by him in this behalf, may at any time between sunrise and sunset enter and inspect any stable, coach-house or other place wherein there is reason to believe that there is any vehicle or animal liable to taxation under this Regulation, for which a license has not been duly taken out.

59. *Power to inspect places for sale of food or drink, etc., and to seize unwholesome articles exposed for sale.*—The Superintendent, or any person authorized by him in writing in this behalf, may, at all reasonable times, enter into and inspect any market, building, shop, stall or

place used for the sale of food or drink for human consumption, or as a slaughter-house, or for the sale of drugs, and inspect and examine any food or drink, drug or animal which may be therein, and if any article of food or drink, or any animal therein appears to be intended for human consumption and to be unfit therefor, may seize and remove the same or may cause it to be destroyed, or to be so disposed of as to prevent its being exposed for sale or used for such consumption;

and, in case any drug is reasonably suspected to be adulterated in such manner as to lessen its efficacy or to change its operation or to render it noxious, may remove the same, giving a receipt therefor, and may cause it to be brought before a Magistrate for enquiry whether any offence has been committed in respect thereof and for his orders as to its disposal.

60. *Power of entry for purposes of scavenging.*—(i) The Committee may provide for the performance by its agents of the duties usually performed by sweepers in respect of any buildings or lands or of any drains, privies, cess-pools or other receptacles for offensive matter pertaining to buildings or land.

(ii) Such provision may be made in respect of individual buildings or lands or of buildings or lands generally.

(iii) Nothing in this section or section 23 shall be deemed to preclude the Committee from making provision of a different nature for different buildings or lands, and charging scavenging-tax at different rates therefor, or from exempting wholly or in part from such tax at its discretion any individual who has made arrangements to its satisfaction for the performance of the duties aforesaid.

(iv) When the Committee has undertaken to provide for the performance by its agents of such duties as aforesaid, the persons employed by it to perform the same may enter on the property at all reasonable times so far as may be necessary for the proper discharge of those duties; and the Superintendent, or any person authorized by him in this behalf, may enter on the property at all reasonable times for the purpose of ascertaining that such duties have been duly performed.

61. *Precautions to be observed in entering dwelling.*—When any building used as a human dwelling is entered under this Regulation, due regard shall be paid to the social and religious sentiments of the occupiers, and before any apartment in the actual occupation of any woman who, according to custom, does not appear in public, is entered under this Regulation, notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.

*Water-pipes, Privies and Drains.*

62. *Troughs and pipes for rain-water.*—The Superintendent may, by notice in writing, require the owner of any building in any street to put up and keep in good condition proper troughs and pipes for receiving and carrying the water from the roof and other parts thereof and for discharging the same, so as not to inconvenience persons passing along the street.

63. *Provision of privies, etc.*—(i) The Superintendent may, by notice in writing, require the owner of any building to provide any privy or cess-pool, or additional privies or cess-pools which should in his opinion be provided for the building, in such manner as to satisfy the general requirements of the Committee.

(ii) The Superintendent may, by notice in writing, require the owner or occupier of any building or land to have any privy provided for the same shut out by a sufficient roof and wall or fence from the view of persons passing by or dwelling in the neighbourhood, or to remove or alter, as the Committee directs, any door or trap-door of a privy opening on to any street or drain.

(iii) The Committee may, by notice in writing, require any person employing more than twenty workmen or labourers to provide such latrines and urinals as it may think fit, and to cause the same to be kept in proper order and to be daily cleaned.

64. *Repairing and closing of any drains, privies, and cess-pools.*—(i) The Superintendent may, by notice in writing, require the owner or occupier of any building or land to repair or alter and put in good order any drain privy or cess-pool or to close any cess-pool belonging thereto.

(ii) The Superintendent may by notice in writing, require any person who constructs any new drain, privy or cess-pool without his permission in writing or contrary to his directions or rules or to the provisions of this Regulation, or who constructs, rebuilds or opens any drain, privy or cess-pool which has been ordered to be demolished or closed or not to be made, to demolish such drain, privy or cess-pool or to make such alteration therein as he thinks fit.

65. *Unauthorized buildings over drains, etc.*—The Superintendent may, by notice in writing, require any person who without his permission in writing newly erects or rebuilds any building over any public sewer, drain, culvert, water-course or water-pipe to pull down or otherwise deal with the same as he thinks fit.

66. *Removal of latrines, etc., near any source of water-supply.*—The Superintendent may, by notice in writing, require any owner or occupier on whose land any drain, latrine, urinal, cess-pool or other recep-

tacle for filth or refuse for the time being exists within fifty feet of any spring, well, reservoir or other water-source, to remove or close the same within one week.

67. *Power to require drainage, etc., of unwholesome land, etc.*—The Superintendent may, by notice in writing, require the owner or occupier of any land or building to cleanse, repair, cover, fill up or drain off any private land, well, reservoir, pool or excavation therein which appears to him to be injurious to health or offensive to the neighbourhood.

#### *Dangerous Buildings and Places.*

68. *Power to require buildings, wells, tanks, etc., to be secured.*—If any buildings, or any well, tank or other excavation is for want of sufficient repair, protection or enclosure dangerous to persons passing by or dwelling or working in the neighbourhood, the Superintendent may, by notice in writing, require the owner or occupier thereof to repair, protect or enclose the same; and if it appears to him to be necessary in order to prevent imminent danger, he shall forthwith take such steps as are necessary to avert the danger.

69. *Buildings, etc., in ruinous or dangerous state.*—If any building, wall, or structure, or anything affixed thereto, is deemed by the Superintendent to be in a ruinous state or in any way dangerous, he may, with the concurrence of the Committee, by notice in writing, require the owner or occupier thereof forthwith either to remove the same or to cause such repairs to be made to it as the Committee considers necessary for the public safety; and if it appears to him to be necessary in order to prevent imminent danger, the Superintendent may forthwith take such steps as are necessary to avert the danger.

#### *Buildings and Grounds in Unsanitary Condition.*

70. *Power to require owner to clear any noxious vegetation.*—The Superintendent may, by notice in writing, require the owner or occupier of any land to clear away and remove any thick or noxious vegetation, jungle or undergrowth which appear to be injurious to health or offensive to the neighbourhood.

71. *Power to trim hedges and trees bordering on streets.*—The Superintendent may, by notice in writing, require the owner or occupier of any land within three days to cut or trim the hedges thereof bordering on any street, or branches of trees growing thereon which overhang any street and obstruct the same or cause danger therein, or which so overhang any well, tank or other water-source as to be likely to pollute the water thereof.

72. *Power to have building or land cleansed.*—If the owner or occupier of any building or land suffers the same to be in a filthy or un-

wholesome state, the Superintendent may, by notice in writing require him within twenty-four hours to cleanse the same or otherwise put it in a proper state.

73. *Power in respect of building unfit for habitation.*—If any building appears to the Superintendent to be unfit for human habitation in consequence of the want of proper means of drainage or ventilation or for any other sufficient reason, the Superintendent may, by notice in writing, prohibit the owner or occupier thereof from using the same for human habitation or suffering it to be used until he is satisfied that it has been rendered fit for such use.

<sup>1</sup>[73-A. (1) Whenever the Superintendent considers—

- (a) that any building or portion thereof is, by reason of its having no plinth or having a plinth of insufficient height, or by reason of the want of proper drainage or ventilation or by reason of the impracticability of cleansing, attended with danger of disease to the occupiers thereof or to the inhabitants of the neighbourhood, or is for any reason likely to endanger the public health or safety, or
- (b) that a block or group of buildings is, for any of the said reasons, or by reason of the manner in which the buildings are crowded together, attended with such risk as aforesaid,

he may by notice require the owners or occupiers of such buildings or portions of buildings or at his option the owners of the land occupied by such buildings or portions of buildings to execute such works or to take such measures as he may deem necessary for the prevention of such danger.

(2) No person shall be entitled to compensation for damages sustained by reason of any action taken under or in pursuance of this section save when a building is demolished in pursuance of an order made hereunder, or so far demolished as to require reconstruction, in which cases the Committee shall make reasonable compensation to the owner thereof from the Residency Bazars Fund.

(3) When any building is entirely demolished under this section and the demolition thereof adds to the value of other buildings in the immediate vicinity the owners of such other buildings shall be bound to contribute towards the compensation payable to the owner of the first named building in proportion to the increased value acquired by their own property.

(4) When any building is so far demolished under this section as to require reconstruction, allowance shall be made in determining the com-

<sup>1</sup> Inserted by notification No. 681-I., dated the 13th November, 1928. *Gazette of India*, 1928, Pt. I, p. 975.

pensation, for the benefit accruing to the premises from the improvement thereof.]

74. *Power to require untenanted buildings becoming a nuisance to be secured or enclosed.*—The Superintendent may, by notice in writing require the owner or person claiming to be the owner of any building or land which, by reason of abandonment or disputed ownership or other cause, remains untenanted and thereby becomes a resort of idle and disorderly persons or otherwise a nuisance, to secure or enclose the same within a reasonable time to be fixed in the notice.

75. *Cultivation, use of manure or irrigation injurious to health, after prohibition.*—(i) The Superintendent, with the concurrence of the Committee, may, on the report of the Residency Surgeon that the cultivation of any description of crop or the use of any kind of manure or the irrigation of land in any specified manner in any place within the limits of the Residency Bazars is injurious to the health of persons dwelling in the neighbourhood, by notification prohibit the cultivation of the crop, the use of the manure, or the irrigation so reported to be injurious, or regulate such cultivation, use or irrigation, by imposing such conditions thereon as may prevent injury:

Provided that when on any land to which such notification applies the act prohibited has been practised during the five years next preceding the notification in the ordinary course of husbandry, compensation shall be paid from the Residency Bazars Fund to all persons interested therein for any damage caused to them by the effect of such notification.

(ii) If any person cultivates, uses manure or irrigates in disregard of the prohibition or conditions notified under sub-section (i), he shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees, and with a further fine which may extend to five rupees for every day after the date of such conviction during which the offence is proved before a Magistrate to have been persisted in.

#### *Registration of Trades.*

76. *Regulation of offensive and dangerous trades.*—(i) The owner or occupier of every place within the Residency Bazars used for any of the following purposes, namely:

melting tallow; or boiling bones, offal or blood; or

as a soap house, oil-boiling house, dyeing house or tannery;

as a brick-kiln, pottery or lime-kiln; or

any other manufactory or place of business from which offensive or unwholesome smells arise; or



as a yard or depot for trade in hay, straw, thatching grass, wood, coal or other highly inflammable material; or

as a store-house for kerosine, petroleum, naphtha or any inflammable oils, spirit or explosive substance;

shall register the same in a book to be kept by the Superintendent for the purpose.

(u) No place shall be newly used for any of the said purposes except under a license from the Superintendent, which shall be renewable annually.

(v) The license shall not be withheld unless the Superintendent considers that the business which it is intended to establish or maintain would be offensive or dangerous to persons residing in or frequenting the immediate neighbourhood.

(w) The Superintendent may charge such fees for such licenses and may impose such conditions in respect thereof as the Resident may approve.

(v) Whoever without such registration or without a license uses any place for any such purpose shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees, and with further fine which may extend to ten rupees for every day during which the offence is proved before a Magistrate to have been persisted in after he has been convicted thereof; and the Superintendent may, after conviction, by notice in writing, direct that the use of such place for such purpose shall be discontinued.

The Superintendent, or any person specially authorized by him in writing in this behalf, may at any time enter and inspect any place or building which there is reason to believe is used without license for any of the purposes enumerated in this section.

77. *Power to prohibit such trades.*—If it is shown to the satisfaction of the Committee at a meeting that any place licensed under section 76 is a nuisance to the neighbourhood or likely to be dangerous to life, health or property, it may, by notice in writing, require the occupier thereof to discontinue the use of the place, or to use it in such manner as will in the opinion of the Committee render it no longer a nuisance or dangerous.

(u) Whoever after such notice has been given uses the place or permits it to be used in disregard of such requisition shall on conviction be punished with fine which may extend to two hundred rupees and with further fine which may extend to forty rupees for every subsequent day during which the offence is proved before a Magistrate to have been persisted in.

78. *Particulars to be printed on books and papers.*—Every book or paper printed within the Residency Bazars shall have printed legibly on it the name of the printer and the place of printing, and (if the book or paper be published) of the publisher and the place of publication.

79. *Keeper of printing press to make declaration.*—No person shall, within the Residency Bazars, keep in his possession any press for the printing of books or papers who shall not have made and subscribed the following declaration before the Superintendent:

“ I, A B, declare that I have a press for printing at \_\_\_\_\_ and this last blank shall be filled up with a true and precise description of the place where such press may be situate. ”

80. *Execution of acts required to be done by any notice.*—(i) When any notice under this chapter requires any act to be done for which no time is fixed by this Regulation, it shall fix a reasonable time for doing the same.

(ii) When the owner or occupier of any land or building fails to comply with the terms of any notice under this chapter requiring him to do any act upon that land or building, the Superintendent may, after six hours' notice in writing, cause that act to be done, and may recover the expenses incurred in so doing from the person in default.

81. *Compensation for damage caused by exercise of powers under this Regulation.*—The Committee may make compensation out of the Residency Bazars Funds to any person sustaining any damage by reason of the exercise of any of the powers vested in the Committee, its officers and servants under this Regulation, and shall make such compensation where the person sustaining the damage was not himself in default in respect of the matter in respect of which the power was exercised: where the compensation is claimable on account of injury to buildings or land, it shall be calculated with due regard to the provisions of the Land Acquisition Act for the time being in force in British India.

## CHAPTER VII.—OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY OR CONVENIENCE.

82. *Depositing or throwing earth or materials or refuse, rubbish or offensive matter on roads or into drains.*—Whoever, without the permission of the Superintendent or in disregard of his orders, throws or deposits, or permits his servants or members of his household under his control to throw or deposit, earth or materials of any description, or refuse, rubbish or offensive matter of any kind upon any street or public

<sup>1</sup> Cf. para. 1 of notification No. 2651-I., dated the 25th June, 1891, printed in Appendix XV.

place, or into any public sewer or any drain communicating therewith, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

83. *Discharging sewage.*—Whoever, without the permission of the Superintendent, causes or allows the water of any sink, sewer or cess-pool or any other offensive matter, to pass or be put upon any street or public place, or into any sewer or drain not set apart for the purpose, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

84. *Non-removal of filth, etc.*—Whoever, being the owner or occupier of any building or land, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, nightsoil or filth, or any noxious or offensive matter, in or upon such building or land, or suffers any such receptacle to be in a filthy or noxious state, or neglects to employ proper means to cleanse and purify the same, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

85. *Making or altering drains without authority.*—Whoever without the permission of the Superintendent, makes or causes to be made, or alters or causes to be altered, any drain leading into any public sewer or drain under the management of the Committee, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

86. *Penalty for making or keeping latrines, etc., near any source of water supply.*—Whoever makes without the permission of the Superintendent or keeps for a longer time than one week after notice to remove, issued under section 66, any drain, latrine, urinal, cess-pool or other receptacle for filth or refuse within fifty feet of any spring, well, tank, reservoir or other water-source, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees, and, when a notice has been issued with a further fine which may extend to five rupees for each day during which the offence is proved before a Magistrate to have been persisted in after the lapse of the period allowed for removal.

87. *Keeping animals so as to be injurious to health.*—Whoever keeps any swine in disregard of any orders which the Superintendent may give to prevent them from becoming a nuisance, or keeps any other animals so as to be injurious to health or to become a nuisance, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees, and with a further fine which may extend to five rupees for every day after the date of the conviction during which the offence is proved before a Magistrate to have been persisted in.

<sup>1</sup>[87-A. Whoever keeping for profit milch cattle or milch goats, or pigs or any other animal which may be used for human consumption, allows the same

(a) to be fed upon refuse or any filthy or deleterious substance; or

(b) to graze in any place in which grazing has for sanitary reasons been prohibited by public notice issued by the Superintendent,

shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.]

88. *Driving vehicles without proper lights.*—Whoever drives any vehicle after dark in any public street or thoroughfare, unless the vehicle is properly supplied with lights, or there is sufficient moonlight to render lights unnecessary, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

89. *Discharging fire-arms, fireworks, etc.*—Whoever discharges fire-arms or air-guns or lets off fire-works or fire-balloons, or engages in any game in such a manner as to cause danger to persons passing by or dwelling or working in the neighbourhood or risk of injury to property, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

90. *Processions and music.*—Whoever, without the permission of the Superintendent or contrary to his directions, takes any elephant or camel or joins in any procession along any street, or plays or causes to be played any music in any such procession, shall, on conviction by a Magistrate, be punished with fine which may extend to one hundred rupees.

91. *Suffering dogs to be at large.*—Whoever, being the owner or person in charge of any dog which is likely to annoy or intimidate passengers, neglects to restrain it so that it shall not be at large without a muzzle in any street or public place, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

92. *Altering, obstructing or encroaching upon streets, etc.*—Whoever, without the permission of the Superintendent, alters, obstructs or encroaches upon any street or public drain, aqueduct or sewer, or displaces, takes up or alters the pavement or other materials or the fences or posts of any street or public place, or deposits building materials or makes any hole or excavation on or in any street, shall, on conviction by a Magistrate, be punished with fine which may extend to one hundred rupees.

<sup>1</sup> Inserted by notification No. 3656-I. B, dated the 19th November, 1913. *Gazette of India*, 1913, Pt. I, p. 1112.

93. *Picketing animals and collecting carts.*—Whoever, contrary to the orders of the Superintendent, pickets animals or collects carts on any public ground or uses any such ground as a halting place for vehicles or animals of any description or as a place of encampment or causes or permits animals to stray, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

94. *Carrying corpses by prohibited routes or so as to cause annoyance.*—Whoever carries a corpse along a prohibited route or in a manner likely to cause annoyance to the public shall, on conviction by a Magistrate, be punished with fine which may extend to ten rupees.

95. *Destroying direction-posts, lamp posts, etc.*—Whoever, without being authorized by the Superintendent, defaces or disturbs any direction-post or lamp-post or extinguishes any light in any street or public place, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

96. <sup>1</sup> *Penalty for printing, publishing or keeping a press contrary to rules in sections 78 and 79.*—Whoever prints or publishes any book or paper otherwise than in conformity with the provisions of section 78 of this Regulation, or keeps in his possession any such press as aforesaid without making such a declaration as is required by section 79 of this Regulation, shall, on conviction before the Superintendent, be punished with fine not exceeding five rupees or with expulsion from the Bazars, or with both.

97. No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby. Any person so going armed without a license or in contravention of its provisions may be disarmed by the Superintendent or by any Magistrate, Police-officer or other person empowered by the Resident in this behalf by name or by virtue of his office and the Resident may, if he shall think fit, direct that the arms taken from such person, or any of them, shall be confiscated:

Provided that nothing in this section shall apply to persons exempted by the Governor General in Council under section 27 of the Indian Aims Act or by the Resident by a rule made under this Regulation.

98. *Penalty for disobedience to orders under Chapter VI.*—Whoever disobeys any lawful directions given by public notice or disobeys any written notice lawfully issued under the powers conferred by Chapter VI, or by rules under section 101 of this Regulation, or fails to comply with the conditions subject to which any permission was given to him under those powers shall, if the disobedience or [omission]<sup>2</sup> is not an offence

<sup>1</sup> Cf. also para. 2 of notification No. 2851-I., dated the 25th June, 1891, printed in Appendix XVII.

<sup>2</sup> The word "omission" was substituted for the word "commission" by erratum notification No. 2126-I. B., dated the 4th August, 1898. *Gazette of India*, Pt. I, 1898, p. 873.

punishable under any other section on conviction before a Magistrate, be punished with fine which may extend to fifty rupees, and in the case of a continuing breach, with a further fine which may extend to five rupees, for every day after the date of the conviction during which the offence is proved before a Magistrate to have been persisted in:

Provided that when the notice fixes a time within which a certain act is to be done and no time is specified in this Regulation, it shall rest with the Magistrate to determine whether the time so fixed was a reasonable time within the meaning of this Regulation.

#### CHAPTER VIII.—CONTROL.

99. *Control.*—The Superintendent and the Committee shall be subject in all respects to the control of the Resident.

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101. *Rules.*—(i) The Resident may from time to time frame forms for any proceedings of the Committee for which he considers that a form should be provided, and make rules consistent with this Regulation as to—

- (a) the appointment of members, and their term of office;
- (b) the conduct of proceedings at meetings;
- (c) the assessment and recovery of taxes, fees and moneys claimable under this Regulation, and for preventing evasion of the same;
- (d) the authority on which money may be paid from the Residency Bazaars Fund;
- <sup>2</sup>[(dd) the establishment and maintenance of a provident fund for the benefit of any class of officers or servants of the Committee who are not eligible for pension;]
- (e) the conditions on which property under management of the Committee may be transferred by sale, mortgage, lease, exchange or otherwise;
- (f) the control of traffic, public procession and music;
- <sup>3</sup>[(f) (f) the control of the sale of food or drink intended for human consumption;]
- <sup>4</sup>[(f) (f) (f) the control of places licensed for the manufacture or sale of intoxicating liquors or drugs;]

<sup>1</sup> This section, relating to vaccination, was repealed by notification No. 1811-I. B., dated the 1st July, 1898. *Gazette of India*, 1898, Pt. I, p. 704.

<sup>2</sup> Inserted by notification No. 457-I., dated the 25th July, 1928. *Gazette of India*, 1928, Pt. I, p. 683.

<sup>3</sup> Inserted by notification No. 2225-I. B., dated the 13th October, 1914. *Gazette of India*, 1914, Pt. I, p. 1672.

<sup>4</sup> Inserted by notification No. 800-D., dated the 16th December, 1914. *Gazette of India*, 1914, Pt. I, p. 2239.

- (g) the registration of births and deaths, the regulation of vaccination, compulsory or otherwise, and the taking of a census;
- <sup>1</sup>[(g) (g) the prescribing of the standard weights and measures to be used within the Residency Bazars;]
- (h) the carrying of arms;
- (i) the offences under this Regulation or under rules made or enactments extended thereunder which shall be cognizable by the Police; and
- (k) generally for the purposes of this Regulation.

(u) In making any rule under this section, the Resident may direct that a breach of it shall be punishable, on conviction by a Magistrate, with fine which may extend to fifty rupees, and when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

(vi) No rule under sub-section (i) shall come into force until it has been notified by the Resident.

102. *Disorderly persons*.—The Resident, with the previous sanction of the Governor General in Council, may make rules for the suppression of mendicancy and of loitering or importuning for the purpose of prostitution, and for the removal and exclusion from the Residency Bazars of disorderly persons, of persons convicted under Chapter XVII of the <sup>2</sup>Indian Penal Code, or ordered under the Code of Criminal Procedure, 1882,<sup>3</sup> to execute a bond for their good behaviour and of persons whom the Resident deems it necessary to exclude from the Residency Bazars with or without assigning any reason for excluding them therefrom.

103. *Extension of Acts*.—The Governor General in Council may, by notification in the *Gazette of India*, extend to the Residency Bazars any enactments or part of any enactment for the time being in force in any municipality in the Hyderabad Assigned Districts, and declare its extension to be subject to such restrictions and modifications, if any, as he thinks fit.

104. *Penalty on member, officer or servant of Committee being interested in contract made with Committee*.—If any member, officer or servant of the Committee is otherwise than with the permission in writing of the Resident, directly or indirectly interested in any contract made

<sup>1</sup> Inserted by notification No. 1246-I. B., dated the 7th May, 1918. *Gazette of India*, 1918, Pt. I, p. 692.

<sup>2</sup> Applied to the Hyderabad Residency Bazars by notification No. 260-I., dated the 24th April, 1929, printed *supra*, p. 27.

<sup>3</sup> See now the Code of Criminal Procedure, 1898, as applied to the Hyderabad Residency Bazars by notification No. 260-I., dated the 24th April, 1929, printed *supra*, p. 27.

with the Committee, he shall be deemed to have committed an offence under section 168 of the Indian Penal Code.<sup>1</sup>

105. *Suits and prosecutions against Committee.*—No suit or prosecution shall be entertained by any Court against the Committee or any officer or person for anything in good faith done or purporting to be done in pursuance of powers conferred by or under this Regulation on such Committee, officer or person, whether the thing done was or was not authorized by the power so conferred.

106. *Liability of members for loss, waste or misapplication.*—Every person shall be liable for the loss, waste or misapplication of any money or other property under the management of the Committee, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct while a member of the Committee; and a suit for compensation may be instituted against him by the Committee with the previous sanction of the Resident.

107. *Acquisition of land.*—When any land is required by the Committee for the purposes of this Regulation and is situate within the Residency Bazars, the Superintendent may as provided in section 81, proceed to its acquisition at the expense of the fund in general accordance with the provisions of the Land Acquisition Act for the time being in force in the Hyderabad Assigned Districts.

108. No Judge or Magistrate shall be deemed to be a party to, or interested in any prosecution for an offence punishable under this Regulation or any rule thereunder or any other law, within the meaning of section 555 of the Code of Criminal Procedure, 1882,<sup>2</sup> by reason only of his being or having been a member of the Committee by the order, or under the authority of which it has been instituted, or because as Superintendent he merely approved the prosecution.

109. *Conduct of prosecution under this Regulation.*—Subject to such rules as the Resident may make under section 101 prescribing the offences which shall be cognizable by the police, no Court shall take cognizance of an offence punishable under this Regulation or under any enactment extended or rule made thereunder except on the complaint of the Superintendent or of some person authorized by him in this behalf.

In default of payment of any fine imposed under this Regulation or any enactment extended or rule made thereunder, the defaulter shall be liable to simple imprisonment for a term not exceeding eight days.

110. *Saving of prosecution under other laws.*—Nothing contained in this Regulation shall be construed to prevent any person from being

<sup>1</sup> See footnote 2, *supra*, p. 85.

<sup>2</sup> See now s. 556 of the Code of Criminal Procedure, 1898 (Act V of 1898), as applied, *supra*, p. 27.



prosecuted under any other law for any offence made punishable by this Regulation or from being liable under any other law to any higher penalty or punishment than is provided for such offence by this Regulation or by any rules made thereunder:

Provided that no person shall be punished twice for the same offence.

111. *Recovery of taxes, etc.*—Any arrear of any tax or any fee or other money claimable by or on behalf of the Committee may, in addition to any manner provided under section 101, be recovered on application to a Magistrate having jurisdiction within the limits of the Residency Bazars by the distress and sale of any movable property within those limits belonging to the person from whom the money is claimable; and if payable by the owner in respect of any property, movable or immovable, such arrear shall be a charge on the property.

112. *Vacancies and irregularities not to invalidate proceedings.*—No act done nor any proceeding taken under this Regulation shall be questioned on account merely of the existence of any vacancy in the Committee or on account of any defect or irregularity not affecting the merits of the case.

[*Gazette of India*, 1895, Pt. I, p. 755.]

### *Secunderabad Cantonment Excise Rules, 1901.<sup>1</sup>*

*No. 3707-I. B., dated the 4th October, 1901.*—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879),<sup>2</sup> and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following rules to make better provision for the import, export, transport, manufacture, sale and possession of liquor, opium, poppy-heads and intoxicating drugs, and for the collection of revenue derived therefrom within the Cantonment of Secunderabad:

#### CHAPTER I.—PRELIMINARY.

1. (1) *Title, extent and commencement.*—These rules may be called “Secunderabad Cantonment Excise Rules, 1901”.

(2) They extend to the Cantonment of Secunderabad; and

<sup>1</sup> These Rules apply to Aurangabad by virtue of the following notification:—

*No. 3694-I. B., dated the 7th October, 1904.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor General in Council is pleased to declare that all laws and rules having the force of law, which immediately before the 11th March 1904, were in force in the Cantonment of Secunderabad, exclusive of the area formerly known as the “Contingent Station” of Bolaram, and have not been expressly rescinded, shall with effect from that date be deemed to be in force in the Cantonment of Secunderabad inclusive of the said area, and also in the Cantonment of Aurangabad. *Gazette of India*, 1904, Pt. I, p. 748.

<sup>2</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

(3) They shall come into force on a day to be fixed by the Resident and notified in Residency Orders.<sup>1</sup>

2. *Repeal.*—On and from that day the Secunderabad Local Abkari Rules of 1874 (known as Appendices I, II and III) shall be repealed.

3. (1) *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

(a) *Resident.*—“ Resident ” means the Resident at Hyderabad;

(b) *Magistrate.*—“ Magistrate ” means any Magistrate exercising powers not less than those of a Magistrate of the second class in the Cantonment of Secunderabad;

(c) *Tari.*—“ tari ” means the sap of any kind of palm or date tree, whether in its fermented or unfermented state;

(d) *Liquor.*—“ liquor ” includes spirits of wine, methylated spirits, wine, tari, beer and all liquid consisting of or containing alcohol;

(e) *Spirits.*—“ spirit ” means any liquor containing alcohol obtained by distillation;

(f) *Beer.*—“ beer ” includes ale, stout, porter, and all other fermented liquor usually made from malt;

(g) *Country liquor.*—“ country liquor ” includes all liquor produced or manufactured in the territories of the Nizam of Hyderabad;

(h) *Opium.*—“ opium ” includes preparations or admixtures of opium and intoxicating drugs prepared from the poppy, but does not include <sup>2</sup>[morphia and its preparations or] poppy-heads;

(i) *Poppy-heads.*—“ poppy-heads ” means the dry capsules of the poppy plant;

(j) *Hemp.*—“ hemp ” means any variety of the hemp plant from which intoxicating drugs can be prepared;

(k) *Hemp drugs.*—the expression “ hemp drugs ” means ganja, bhang, charas and every preparation and admixture of the same;

(l) *Wholesale vendor of opium.*—“ wholesale vendor of opium ” means a person holding a license under rule 16;

(m) *Licensed vendor of opium.*—“ licensed vendor of opium ” means a person holding a lease or license under rule 17;

(n) *Licensed druggist.*—“ licensed druggist ” means a person to whom the <sup>3</sup>[District Magistrate] has granted free of charge a license for the retail sale of opium, other than preparations or admixtures of

<sup>1</sup> The 1st April 1904 was so fixed, see notification No. 40, dated the 18th June, 1903. *Hyderabad Residency Orders*, 1903, Pt. I, p. 213.

<sup>2</sup> Inserted by notification No. 2539-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1013.

<sup>3</sup> Substituted by notification No. 427-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 730.

opium used for smoking, and of poppy-heads, for medicinal purposes only;

(o) *Tola*.—"tola" means a weight of 180 grains Troy;

(p) *Seer*.—"seer" means a weight of eighty tolas;

(q) *Manufacture*.—"manufacture" includes every process, whether natural or artificial, by which any liquor, opium or hemp drug is produced or prepared, redistillation and every process for the rectification of liquor;

(r) *Sale and selling*.—"sale" and "selling" include any transfer otherwise than by way of gift;

(s) *Retail sale and wholesale*.—the articles mentioned in the schedule shall be deemed respectively to be sold retail when sold in any quantity not exceeding that specified against each, and wholesale when sold in any larger quantity;

(t) *Import*.—"import" means to bring within the limits of the Cantonment of Secunderabad;

(u) *Export*.—"export" means to remove beyond the limits of the Cantonment of Secunderabad;

(v) *Transport*.—"transport" means to move from one place to another within the Secunderabad Cantonment; and

<sup>1</sup>[(w) 'District Magistrate' means the District Magistrate for the Administered Areas in the Hyderabad State.]

(2) In any case in which doubt arises the Resident may decide what, for the purpose of these rules, shall be deemed to be "country liquor", "tari", "opium", and "hemp drugs", respectively, and such decision shall be final and conclusive.

## CHAPTER II.—LICENSES, LEASE, SHOPS, ETC.

4. (1) *Prescription of forms and condition of lease, license, etc., and power to cancel the same*.—The Resident may from time to time frame instructions, consistent with these rules prescribing the form in and the conditions on, which any lease, license, pass or permit required by these rules shall be granted, and the officers by whom, and the fees on payment of which, they may be granted.

(2) Any sanction, lease or license granted under these rules may be cancelled by the officer by which it was granted.

5. *Power to fix number and allocation of shops*.—The number of shops and the allocation of each shop in which any liquor, opium, poppy-heads or hemp drugs may be sold within the Cantonment of Secunderabad

<sup>1</sup> Substituted by notification No. 427-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 780.

shall be fixed from time to time by the <sup>1</sup>[District Magistrate] subject to the sanction of the Resident.

### CHAPTER III.—LIQUOR.

6. (1) *Manufacture*.—No liquor shall be manufactured at any place in the Cantonment of Secunderabad, no distillery or brewery shall be constructed or worked in the said Cantonment, and no person therein shall have in his possession any material, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing liquor, except under the authority and subject to the terms and conditions of a license to be granted by the Resident in this behalf or by the <sup>1</sup>[District Magistrate] as hereinafter by this rule provided.

(2) The <sup>1</sup>[District Magistrate] may, with the previous sanction of the Resident,—

(a) establish at any place within the Cantonment of Secunderabad a public distillery within which country liquor may be manufactured under a license granted by the Resident; and

(b) discontinue any public distillery so established.

(3) No country liquor shall be removed from a distillery or brewery licensed or established in the Cantonment of Secunderabad except under cover of a pass from the <sup>1</sup>[District Magistrate].

<sup>2</sup>(4) Whenever the excise arrangements in the Cantonment of Secunderabad are entrusted to the Government of the Nizam, the powers conferred by this rule on the Resident and the [District Magistrate]<sup>1</sup> shall be respectively exercised by the Government of the Nizam and by such officer as that Government may appoint in this behalf.

7. *Sale*.—No liquor shall be sold by retail in the Cantonment of Secunderabad except in a shop opened in accordance with the provisions of rule 5 and the terms of a lease or license granted by the [District Magistrate].<sup>1</sup>

Provided that this rule shall not apply to the sale of any liquor legally procured by any person for his private use and sold by him, or by auction on his behalf, or on behalf of his representatives in interest upon his quitting the Cantonment of Secunderabad, or after his decease, to any person entitled to possess the same.

8. *Possession and transport*.—No person shall have in his possession, or shall transport, any quantity of country liquor larger than one seer,

<sup>1</sup>Substituted by notification No. 427-I., dated the 25th August 1925. *Gazette of India*, 1925, Pt. I, p. 780.

<sup>2</sup>Added by notification No. 1285-I., dated the 3rd April, 1902. *Gazette of India*, 1902, Pt. I, p. 260.

or of tari larger than four seers, unless he is permitted to manufacture or sell the same or holds a permit therefor from an officer duly empowered in this behalf.

9. *Import.*—No person shall import any country liquor or tari except under the authority and subject to the terms and conditions of a permit obtained by him from an officer duly empowered in this behalf, and no importer shall sell imported tari to any person other than a retail vendor of tari holding a lease or license under rule 7.

10. *Export.*—No person shall export any country liquor or tari except under the authority and subject to the terms and conditions of a permit obtained from an officer duly empowered in this behalf.

#### CHAPTER IV.—OPIUM.

<sup>1</sup>[11. (1) The cultivation of the poppy is prohibited within the limits of the Secunderabad Cantonment.

(2) The import, export, manufacture, possession and sale of opium and poppy-heads are also prohibited, except as permitted by these rules].

<sup>2</sup>[11-A. The import, export or transport by inland post of opium will be permitted subject to the following conditions:—

(1) Only the parcel post shall be used;

(2) the parcels shall be insured;

(3) the parcels shall be covered by permits issued by the proper authorities in the province to which the parcels are addressed;

(4) the parcels shall be accompanied by a declaration stating the names of the consignee and consignor, the contents of the parcels in detail, the permit number and date covering the transmission and the number of the license held by the consignee;

(5) the consignee shall show distinctly in his account books the name of the consignor and the quantity of opium sent to him from time to time by post].

12. (1) *Import and export.*—Opium, other than preparations or admixtures of opium used for smoking, and poppy-heads may be imported by any person holding a lease or license under rule 16 or 17, or by a licensed druggist, under the authority and subject to the terms and conditions of a permit obtained from the <sup>3</sup>[District Magistrate].

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<sup>1</sup> Substituted by notification No. 175-I., dated the 21st April 1926. *Gazette of India*, 1926, Pt. I, p. 495.

<sup>2</sup> Inserted by ditto.

<sup>3</sup> Substituted by notification No. 427-I., dated the 25th August 1925. *Gazette of India*, 1925, Pt. I, p. 780.

(2) Opium imported under sub-rule (1) shall be immediately taken, with bulk unbroken, before the District Superintendent of Police, to be weighed and examined.

(3) If on examination the District Superintendent of Police is satisfied that the opium corresponds with the permit authorizing its import, he shall allow the importer,—

(a) if he is a wholesale vendor of opium, to store it at such warehouse or warehouses as may have been appointed by the Superintendent of Police with the approval of the <sup>1</sup>[District Magistrate]; and

(b) if he is a licensed vendor of opium or a licensed druggist, to take it to the shop or shops at which he may have been authorized to sell it.

(4) If the opium is found not to correspond with the permit authorizing its import, it shall be liable to be treated as opium imported in contravention of these rules.

13. (1) *Manufacture*.—The manufacture of preparations and admixtures of opium and intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, is permitted—

(a) by any person for his own domestic use: provided that such manufacture is in quantities in which the possession of the said articles is permitted by these rules, and is from opium of which the possession is similarly permitted;

(b) by a licensed vendor for retail sale and by a licensed druggist for medicinal purposes: provided that such manufacture is in accordance with these rules and the terms and conditions of his lease or license.

(2) Preparations or admixtures of opium used for smoking may be manufactured by any person in a quantity not exceeding one tola: provided that such manufacture is for his private consumption and not for sale, and that it is from opium of which he is permitted by these rules to be in possession.

14. (1) *Possession*.—Any person may possess—

(a) opium, other than a preparation or admixture of opium used for smoking, to an amount not exceeding [three]<sup>2</sup> tolas in weight: provided that it has been purchased from a licensed vendor or druggist under these rules;

<sup>1</sup> Substituted by notification No. 427-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 780.

<sup>2</sup> Substituted by notification No. 598-I. B. dated the 28th February, 1918. *Gazette of India*, 1918, Pt. I, p. 325.

(b) any preparation or admixture of opium used for smoking to an amount not exceeding one tola in weight: provided that it has been manufactured from crude opium purchased from a licensed vendor or druggist under these rules by the possessor under rule 13, sub-rule (2);

(c) poppy-heads to an amount not exceeding five seers in weight provided that they have been purchased from a licensed vendor or druggist under these rules.

(2) A person authorized by the general or special order in writing of the <sup>1</sup>[District Magistrate] to possess opium or poppy-heads in quantity exceeding in weight that specified in sub-rule (1) of this rule may possess the opium or poppy-heads covered by the order.

(3) A licensed druggist may, subject to the terms and conditions of his permit, possess opium, other than preparations or admixtures of opium used for smoking, not exceeding one seer in weight, and poppy-heads not exceeding ten seers in weight.

(4) A licensed vendor of opium or poppy-heads may, subject to the terms and conditions of his lease or license, possess opium, other than preparations or admixtures of opium used for smoking, or poppy-heads as the case may be in any quantity.

(5) A wholesale vendor may, subject to the terms and conditions of his permit, possess opium, other than preparations or admixtures of opium used for smoking, and poppy-heads in any quantity.

15. (1) *Sale*.—A licensed vendor of opium or poppy-heads may, subject to the terms and conditions of his lease or license, sell opium, other than preparations or admixtures of opium used for smoking, or poppy-heads, as the case may be, to any person, <sup>2</sup>[not below 15 years of age] within the limits of the quantity that may be possessed by such person in accordance with rule 14.

(2) A licensed druggist may, subject to the terms and conditions of his license, sell opium, other than, preparations or admixtures of opium used for smoking, or poppy-heads by retail for medicinal purposes only.

16. *Wholesale vendor's license*.—The <sup>1</sup>[District Magistrate] may grant to any person a wholesale vendor's license empowering him to sell opium, other than preparations or admixtures of opium used for smoking, and poppy-heads in any quantity to other persons holding similar licenses and to licensed vendors of opium.

17. *Licensed vendor's lease or license*.—Licenses or leases for the sale of opium, other than preparations or admixtures of opium used for

<sup>1</sup> Substituted by notification No. 427-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 780.

<sup>2</sup> Inserted by notification No. 598-I. B., dated the 28th February, 1918. *Gazette of India*, 1918, Pt. I, p. 325.

smoking, or poppy-heads or both, in a shop opened in accordance with the provisions of rule 5, shall be granted by the Cantonment Magistrate and shall be for one year only, unless the Resident otherwise specially directs.

18. *Registers, etc., to be maintained by wholesale and licensed vendors.*—All wholesale and all licensed vendors of opium shall be bound to maintain such books and to render such returns as the [District Magistrate]<sup>1</sup> may from time to time prescribe; to present these books for examination at such places and at such times as the [District Magistrate]<sup>1</sup> may direct; and to furnish such explanations regarding their dealings as they may be required to furnish.

19. (1) *Disposal of opium after expiry of licenses or lease.*—A wholesale or a licensed vendor of opium may dispose of any opium or poppy-heads remaining in his possession at the expiry of his lease or license by private sale to other licensed vendors within the Cantonment of Secunderabad, provided that he gives written information of the quantity so sold by him to the [District Magistrate]<sup>1</sup> together with the written acknowledgment of the purchaser or purchasers verified in such manner as the [District Magistrate]<sup>1</sup> may direct. Any opium or poppy-heads which he is unable so to dispose of, shall be surrendered by him to the [District Magistrate].<sup>1</sup>

(2) On the expiry of a license held by a licensed druggist, opium or poppy-heads in the possession of such druggist shall be disposed of in such manner as the [District Magistrate]<sup>1</sup> may direct.

20. *Possession, sale, etc., on behalf of Government.*—Nothing in these rules shall be deemed—

(a) to prohibit the possession for *bonâ fide* medicinal purposes by medical servants of the British or of the Nizam's Government of opium in excess of the amount limited in rule 14, sub-rule (1);

(b) to affect the possession, transport, import, export or sale of opium by or on behalf of the British or the Nizam's Government, which is hereby permitted.

<sup>2</sup>[(c) to apply to such preparations or admixtures of opium and intoxicating drugs prepared from the poppy as may be notified by the Resident in the Hyderabad Residency Orders with the previous sanction of the Governor-General in Council.]

<sup>1</sup> Substituted by notification No. 427-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 780.

<sup>2</sup> Added by notification No. 2053-I. B., dated the 9th September, 1915. *Gazette of India*, 1915, Pt. I, p. 1784.



CHAPTER V.—HEMP DRUGS.

21. *Cultivation*.—The cultivation of hemp is prohibited within the limits of the Cantonment of Secunderabad.

22. (1) *Import*.—The import of hemp drugs is prohibited except by a person licensed to sell the same under rule 25, and subject to the following conditions, namely:

- (a) that the importer obtains a permit in that behalf from the <sup>1</sup>[District Magistrate];
- (b) that the import is from the place and by the route specified in such permit, and in accordance with any further conditions therein laid down; and
- (c) that on arrival of the hemp drugs at their destination they are immediately taken, with bulk unbroken, before the District Superintendent of Police to be weighed and examined.

(2) If on examination the District Superintendent of Police is satisfied that the drugs correspond with the permit authorizing their import, he shall allow them to be taken to the shop at which they may have been authorized to be sold.

(3) If the drugs are found not to correspond with the permit authorizing their import, they shall be liable to be treated as drugs imported in contravention of these rules.

23. *Export*.—The export of hemp drugs is prohibited except under the authority and subject to the terms and conditions of a permit granted by an officer duly empowered in that behalf.

24. *Manufacture*.—The manufacture of hemp drugs within the Cantonment of Secunderabad in excess of the quantities specified in rule 26 is prohibited, except by a person licensed to sell the same under rule 25, or by a person holding a special permit to possess the same under rule 26.

25. *Sale*.—No hemp drugs shall be sold in the Cantonment of Secunderabad except in a shop opened in accordance with the provisions of rule 5 and the terms and conditions of a lease or license granted by the [District Magistrate.]<sup>1</sup>

26. *Possession*.—No person shall have in his possession any quantity of hemp drugs larger than—

- (a) five tolas in the case of ganja or charas or any preparation or admixture thereof; and
- (b) one seer in the case of bhang or any preparation or admixture thereof,

unless he holds a lease or license under rule 25 or holds a permit therefor from an officer duly empowered in this behalf.

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<sup>1</sup> Substituted by notification No. 427-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 780.

CHAPTER VI.—OFFICERS AND THEIR POWERS.

27. *Powers of Resident to frame rules.*—The Resident may make rules,—

- (a) determining the number of licenses or leases for the manufacture or sale of liquor, opium, poppy-heads or hemp drugs to be granted in the Cantonment of Secunderabad;
- (b) regulating the number, size and description of stills to be used in any distillery licensed or established by the <sup>1</sup>[District Magistrate].
- (c) for the inspection and supervision of stills, distilleries and breweries so licensed or established;
- (d) for the management of any public distillery similarly established.
- (e) for placing the storage, import, transport or removal of liquor, opium, poppy-heads or hemp drugs, under such supervision as may be deemed necessary;
- (f) prohibiting the use of any article which he deems to be noxious or otherwise objectionable in the manufacture of liquor, opium or hemp drugs;
- (g) regulating the disposal of things confiscated under these rules;
- (h) prescribing the duties of Excise Officers under these rules;
- (i) regulating the payment of rewards to officers and informers out of the proceeds of fines and confiscations under Chapter VII of these rules; and
- (j) providing generally for carrying out these rules.

28. *Excise Officers.*—The <sup>1</sup>[District Magistrate] may, subject to the control of the Resident, appoint persons whether in the British service or in that of the Nizam of Hyderabad or in that of a person holding a lease or license for the sale of liquor, opium, poppy-heads or hemp drugs under these rules, to be officers for the collection of the excise revenue and for the prevention of offences against these rules; and the officers so appointed shall, in addition to their ordinary designations (if any), be styled Excise Officers.

29. *Recovery of Government dues.*—A Magistrate may recover any amount due under these rules for any lease, license, pass or permit by distress and sale of the moveable property found within the Secunderabad Cantonment limits of the person from whom such amount is due or of his surety.

30. *Power of Excise Officers to inspect shops.*—Any Excise Officer may enter and inspect at any time by day or by night the shop or pre-

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<sup>1</sup> Substituted by notification No. 427-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 780.

mises in which any manufacturer or vendor licensed under these rules carries on the manufacture or sale of any liquor, opium, poppy-heads or hemp drugs.

31. *Power of Excise Officers in cases of conveyance of liquor, etc., liable to confiscation.*—Any Excise Officer may detain and search any person whom he has reason to believe to be guilty of any offence against these rules or any other law or rules relating to excise revenue for the time being in force in the Cantonment of Secunderabad or to be carrying any liquor, opium, poppy-heads, hemp or hemp drugs liable to confiscation under these rules, and may seize such liquor, opium, poppy-heads, hemp or hemp drugs together with any packages, coverings or vessels in which the said article or articles is or are contained and the other contents (if any) thereof, and any animals and conveyances used in carrying the same; and may also arrest the person in whose possession such liquor, opium, poppy-heads, hemp or hemp drugs is or are found.

32. *Power of Excise Officers in cases of possession of liquor, etc., liable to confiscation and of illicit sales.*—Any Excise Officer in the receipt of a monthly salary of not less than ten Hali Sicca rupees, or who receives an annual remuneration equivalent to such salary, may arrest any person having in his possession any article liable to confiscation under these rules, or engaged in the unlawful sale of any liquor, opium poppy-heads or hemp drugs and may seize such article, liquor, opium, poppy-heads or hemp drugs.

33. *Power of Excise Officers to search on information of illicit manufacture or possession.*—Whenever any Excise Officer in receipt of such monthly salary or annual remuneration as aforesaid has reason to believe from information given by any person (which information shall be taken down by him in writing) that in any place any liquor, opium or hemp drug is unlawfully manufactured, or any still, utensil, implement or apparatus is used, kept or concealed for the purpose of manufacturing any liquor, opium or hemp drug in contravention of these rules or any other article liable to confiscation under these rules is kept or concealed such officer may, after sunrise and before sunset (but always in the presence of an officer of police in the receipt of a monthly salary of not less than ten Hali Sicca rupees, unless the Excise Officer is himself such an officer of police) enter into such place, and, in case of resistance, may break open any door and force and remove any other obstacle to such entry, and may seize and carry away such liquor, opium or hemp drug or article, after making an inventory thereof in presence of at least two respectable inhabitants of the locality, and may also detain and search, and if he thinks fit arrest, the occupier of the place with all other persons concerned in the manufacture of such liquor, opium or hemp drug, or in the using, keeping and concealing of such article.

34. *Power of Magistrate to issue warrant of arrest in certain cases.*—

'A' Magistrate may issue his warrant for the arrest of any person whom he has reason to believe, either from information in writing or from the proceedings in any other case under these rules or any other law, to be engaged in the unlawful manufacture or sale of any liquor, opium poppy-heads or hemp drugs, or to have in his possession any article liable to confiscation under these rules, or to have committed any other offence against these rules or any other law or rules relating to excise revenue for the time being in force in the Cantonment of Secunderabad.

35. (1) *Power of Magistrate to issue search warrant.*—A Magistrate may issue his warrant for the search of any place in which he has reason to believe, either from information in writing, or from the proceedings in any other case under these rules or any other law, that any liquor, opium, poppy-heads or hemp drugs is or are unlawfully manufactured or sold, or that any liquor, opium, poppy-heads or hemp drugs or any other article liable to confiscation under these rules or any other law or rules relating to excise revenue for the time being in force in the Cantonment of Secunderabad is or are kept or concealed.

(2) Such warrant may be executed by any Excise Officer in the receipt of a monthly salary of not less than ten Hali Sicca rupees at the time and in the manner prescribed in rule 33.

(3) Whenever a Magistrate thinks that the search should be made after sunset and before sunrise on any particular day, he shall issue a warrant specially authorizing the search to be so made. Such warrant may be executed by any Excise Officer as aforesaid in the manner prescribed by rule 33, and shall cease to be in force at sunrise on the day next following.

36. *Excise Officer to report arrest and to take person arrested to Magistrate.*—Whenever an Excise Officer arrests any person or seizes any article liable to confiscation under these rules, or enters any place for the purpose of searching for any such article, he shall, within twenty-four hours thereafter, make a full report of all the particulars of such arrest, seizure or search to his employer or official superior, and shall take the person arrested or the article seized with all convenient despatch to a Magistrate for trial or adjudication.

37. *Procedure after arrest or seizure.*—Whenever any person is arrested or any article is seized under the warrant of a Magistrate issued under these rules, the officer making such arrest or seizure shall within twenty-four hours thereafter take the person arrested or the article seized to that Magistrate, and the Magistrate, after such enquiry as he thinks necessary, shall send such person or article to any other Magistrate, or shall order the immediate discharge of such person or the release of such article.

38. *Police to and Excise Officers.*—Every officer of police shall, on request made by an Excise Officer, aid such Excise Officer in the due execution of his duties under these rules.

39. (1) *Resident empowered to invest Police Officers with powers of Excise Officers.*—The Resident may invest—

(a) any officer of police with the powers conferred on Excise Officer by rule 31;

(b) any officer of police in charge of a station or of or above the grade of Head Constable, with the powers conferred on Excise Officers by rules 32 and 33.

(2) Every officer so invested with powers shall, for all purposes connected with the exercise of those powers, be deemed to be an Excise Officer within the meaning of these rules.

40. (1) *Closing of shop for the sake of public peace.*—The [District Magistrate]<sup>1</sup> may, by notice in writing to a person holding a lease or license under these rules for the sale of any liquor, opium, poppy-heads or hemp drugs, require that any shop in which such liquor, opium, poppy-heads or hemp drugs is or are sold shall be closed at such times as he thinks necessary for the sake of public peace and order that such shop shall remain closed.

(2) In the event of the occurrence of a riot or unlawful assembly in the vicinity of any such shop, any Magistrate or officer of police who is present may require such shop to be kept closed for such period as he thinks fit.

#### CHAPTER VII.—PENALTIES.

41. *For misconduct by lessee or licensee, etc.*—Whoever, being the holder of a lease, license, pass or permit granted under these rules, or being the servant or agent of such holder,—

(a) fails to produce such lease, license, pass or permit on the demand of any Excise Officer, or

(b) wilfully does, or omits to do anything in contravention of these rules or of any rules made thereunder, or

(c) commits any act in breach of the conditions of his lease, license, pass or permit not otherwise provided for by these rules, or

(d) wilfully contravenes any rule prescribed by the Resident for the management of a public distillery established under rule 6, or

(e) commits any act in breach of the conditions on which he is permitted to manufacture liquor in any such public distillery, or

<sup>1</sup> Substituted by notification No. 427-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 780.

- (f) permits drunkenness, riot or gaming in any shop or place in which any liquor, opium, poppy-heads or hemp drugs is or are sold or manufactured, or
- (g) permits persons of notoriously bad character to meet or remain in any such shop or place, or
- (h) receives any wearing apparel or other effects in barter for any liquor, opium, poppy-heads or hemp drugs sold to any person,

shall be punishable with fine which may extend to one hundred rupees.

42. *For misconduct by licensed vendor or manufacturer.*—Whoever, being the holder of a lease or license for the sale or manufacture of liquor, opium, poppy-heads or hemp drugs under these rules,—

- (a) mixes or permits to be mixed with the liquor, opium, poppy-heads or hemp drugs sold or manufactured by him any noxious drug or any foreign ingredient likely to add to its actual or apparent intoxicating quality or strength, or any article prohibited by any rule made under rule 27, clause (f), or
- (b) sells or keeps or exposes for sale as European or foreign liquor any liquor which he knows or has reason to believe to be country liquor,

shall be punishable with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

43. *For illegally manufacturing liquor.*—Whoever in contravention of rule 6 manufactures any liquor, or constructs or works any distillery or brewery or uses, keeps or has in his possession any material, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing liquor, shall be punishable with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both; and all liquor manufactured in contravention of rule 6 and all materials, stills, utensils, implements or apparatus whatsoever collected or had in possession for the purpose of such manufacture, shall, together with any vessels, packages and coverings in which any liquor material, still, utensil, implement or apparatus aforesaid is found, and the other contents, if any, of the vessel or package in which the same is found, be liable to confiscation.

44. *For illegally removing, importing, exporting or transporting country liquor or tari.*—Whoever,—

- (a) without a pass as required by rule 6 removes any country liquor from the place of its manufacture, or
- (b) in contravention of rule 8 transports any country liquor or tari, or

- (c) in contravention of rule 9 or 10 imports or exports any country liquor or tari,

shall be punishable with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both; and the said country liquor or tari, together with any vessels, packages and coverings, containing the same, and the other contents, if any, of the package or covering in which such liquor may be found, and any animals and conveyances used in carrying it shall be liable to confiscation.

45. *For illegally selling liquor or hemp drugs.*—Whoever in contravention of rule 7 or 25 sells any liquor or hemp drugs shall be punishable with imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both.

46. *For illegally possessing country liquor or tari.*—Whoever in contravention of rule 8 possesses any country liquor or tari shall be punishable with fine which may extend to two hundred rupees; and the country liquor or tari, together with any vessels, packages or coverings in which it is contained, and the other contents, if any, of such vessel or package, and any animals and conveyances used in carrying it, shall be liable to confiscation.

47. *For illegal cultivation of poppy, etc.*—Whoever in contravention of any of the provisions of Chapter IV—

- (a) cultivates the poppy, or
- (b) manufactures opium or poppy-heads, or
- (c) possesses opium or poppy-heads, or
- (d) [imports, exports, or transports]<sup>1</sup> opium or poppy-heads, or
- (e) sells opium or poppy-heads, or
- (f) omits to warehouse opium, or removes or does any act in respect of warehoused opium, or

otherwise contravenes any of the provisions of the said Chapter, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both; and when a fine is imposed, the convicting Magistrate shall direct the offender to be imprisoned in default of payment of the fine for a term which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced.

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<sup>1</sup> Substituted by notification No. 2054-I. B., dated the 9th September, 1915. *Gazette of India*, 1915, Pt. I, p. 1784.

48. *Confiscation of opium.*—In any case in which an offence under rule 47 has been committed—

- (a) the poppy in respect of which the offence has been committed,
- (b) the opium or poppy-heads in respect of which the offence has been committed,
- (c) where, in the case of an offence under clause (d) of the said rule, the offender is <sup>1</sup>[importing, exporting or transporting] any opium or poppy-heads exceeding the quantity (if any) which he is permitted to <sup>1</sup>[import, export or transport] as the case may be, the whole of the opium or poppy-heads which he is <sup>1</sup>[importing, exporting or transporting],
- (d) where, in the case of an offence under clause (e) of the said rule, the offender has in his possession any opium or poppy-heads other than the opium or poppy-heads in respect of which the offence has been committed, the whole of such other opium or poppy-heads,

shall be liable to confiscation, along with the vessels, packages and coverings in which the opium or poppy-heads is or are found, and the other contents (if any) of the vessel or package in which such opium or poppy-heads is or are concealed, and the animals and conveyances used in carrying the same.

49. (1) *For illegal cultivation of hemp and illegal manufacture, etc., of hemp drugs.*—Whoever in contravention of any of the provisions of Chapter V—

- (a) cultivates hemp, or
- (b) prepares any hemp drug, or
- (c) possesses any hemp drug, or
- (d) imports or exports any hemp drug,

shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(2) Any hemp or hemp drug in respect of which an offence has been committed under this rule, together with any vessels, packages or coverings containing the same, and any animals and conveyances used in carrying it shall be liable to confiscation.

50. (1) *For conniving at illicit manufacture or sale of liquor, etc.*—Whoever, being the owner or occupier of land, or the agent of any such owner or occupier, authorizes or connives at the illegal manufacture or sale of any country liquor, tari or hemp drug shall be punishable with

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<sup>1</sup> Substituted by notification No. 2053-I. B., dated the 9th September, 1915. *Gazette of India*, 1915, Pt. I, p. 1784.



imprisonment for a term which may extend to four months, or with fine which may extend to one thousand rupees, or with both.

(2) Whoever, being invested with local jurisdiction, authorizes or connives at the illegal sale of any such liquor, tari or hemp drug within the local limits of his jurisdiction shall be punishable with fine which may extend to five hundred rupees.

51. *For police neglecting to aid Excise Officers.*—Whoever, being an officer of police, without lawful excuse neglects or refuses to aid an Excise Officer as required by rule 38, and whoever being an officer in charge of a police station, on application made by an Excise Officer desiring to act under rule 33, fails to attend a search himself, or to depute a subordinate officer of the required rank, shall be punishable with fine which may extend to five hundred rupees.

52. *For conniving at escape of persons arrested, etc.*—Whoever, being an Excise or other officer, unlawfully releases or connives at the escape of any person arrested under these rules, or connives at the commission of any offence against these rules, or acts in any manner inconsistent with his duty for the purpose of enabling any person to do anything whereby any of the provisions of these rules may be evaded or broken, shall be punishable with fine which may extend to five hundred rupees or with imprisonment for a term which may extend to six months, or with both.

53. *For maliciously giving false information.*—Whoever maliciously gives false information that any person has committed or been concerned in any offence against these rules, with the intent that such person be arrested, or that any building or place be searched to the injury or annoyance of such person, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

54. *For vexatious search or seizure.*—Whoever, being an Excise Officer,—

- (a) without reasonable ground of suspicion searches, or causes to be searched, any place, or
- (b) vexatiously and unnecessarily seizes the moveable property of any person on the pretence of seizing or searching for any article liable to confiscation under these rules, or
- (c) vexatiously and unnecessarily arrests any person, or
- (d) commits any other excess not required for the execution of his duty,

shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

55. *For delay in reporting arrests, etc., or in taking person arrested to Magistrate.*—Whoever, being an Excise Officer, in contravention of rule 36 or 37 neglects to report the particulars of an arrest, seizure or search, or delays taking to a Magistrate any person arrested or any article seized under such rule, shall be punishable with fine which may extend to two hundred rupees.

56. *Presumption as to commission of offence in certain cases.*—In every prosecution under rule 43, 44, 45, 46, 47 or 49, as the case may be, it shall be presumed, until the contrary is proved, that the accused person has committed an offence under such rule in respect of any liquor, opium, poppy-heads hemp or hemp drugs, or any still, utensil, implement or apparatus whatsoever for the manufacture of liquor, opium or hemp drugs, or any such materials as are ordinarily used for such manufacture, for the possession of which he is unable to account satisfactorily;

and the holder of a lease, license, pass or permit under these rules shall be responsible, as well as the actual offender, for any offence committed by any person in his employ, or acting on his behalf, under rule 41, 42, 43, 44, 45, 47 or 49, as the case may be, as if he had himself committed the same, unless he proves that all due and reasonable precautions were exercised by him to prevent the commission of such offence.

57. *Prosecutions restricted.*—No Court shall take cognizance of an offence punishable under rule 41, clause (a), (b), (c), (d) or (e), 43, 44, 45, 46, 49 or 50, except on the complaint or report of a Magistrate or an Excise Officer; and no Court shall take cognizance of any offence punishable under any of these rules except rule 47, unless the prosecution is instituted before the expiry of six months next after the commission of the offence.

58. *Confinement in what jail.*—Every person, imprisoned for an offence under rule 41, clause (a), (b), (c), (d) or (e), shall be confined in the civil jail, and every person imprisoned for an offence under any other provision of these rules shall be confined in the criminal jail.

59. *Attempts and abetment.*—Whoever attempts to commit any offence punishable under these rules, or abets within the meaning of the Indian Penal Code, the commission of any such offence shall be punishable with the punishment provided for such offence.

60. (1) *Confiscation.*—Any article liable, on the conviction of an offender, to confiscation under these rules may, on the application of an Excise Officer, be confiscated by the order of a Magistrate, whether any conviction of an offence against these rules is secured against any person in respect of such article or not.

(2) Whenever confiscation is authorized under these rules the Magistrate ordering it may give the owner of the thing liable to be confiscated

an option to pay, in lieu of confiscation, such fine as the Magistrate thinks fit.

(3) Where an offence against these rules has been committed, but the offender is not known or cannot be found, or when any liquor, opium, poppy-heads, hemp or hemp drugs not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by a Magistrate, who may order the confiscation of the article or articles in respect of which the offence is committed:

Provided that no such order shall be made until the expiration of one month from the date of seizing the article or articles intended to be confiscated, or without hearing the persons (if any) claiming any right thereto, and the evidence (if any) which they produce in support of their claims.

#### THE SCHEDULE.

[See rule 3 (1) (s).]

Liquor, not being country liquor . . .	2 imperial gallons or 12 reputed quart bottles.
Country liquor, other than tari . . .	One seer.
Tari . . . . .	Four seers.
Opium, other than preparations or admixtures of opium used for smoking.	<sup>1</sup> [Three tolas].
Poppy-heads . . . . .	Five seers.
Ganja or charas or any preparation or admixture thereof.	Five tolas.
Bhang or any preparation or admixture thereof.	One seer.

[*Gazette of India*, 1901, Pt. I, p. 725.]

#### *Hyderabad (Railway lands) Opium Rules, 1903.*

No. 698-I. B., dated the 13th February, 1903.—In exercise of the power conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879)<sup>2</sup>, and of all other powers enabling him in this behalf, the Governor General in Council, with the concurrence of His Highness the Nizam of Hyderabad, is pleased to make the following rules regarding the import, export, transport, manufacture, sale and possession of opium and poppy-heads within such lands in His Highness' territories (other than the Railway lands in the Hyderabad Assigned Districts and those referred to in the<sup>3</sup> notifications of the Government of India in the Foreign Department, No. 4564-I., dated the

<sup>1</sup> Substituted by notification No. 598-I. B., dated the 28th February, 1918. *Gazette of India*, 1918, Pt. I, p. 825.

<sup>2</sup> See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix I.

<sup>3</sup> See now notification No. 778-I. B., dated the 9th April, 1918. Printed in Vol. VIII, Western Division, A.

18th November, 1891, and No. 3244-I. B., dated the 26th August, 1897, but including those which are, or hereafter may be, occupied by the Hyderabad-Godaveri Valley Railway) as are, or may hereafter be, occupied by railways (including the lands occupied as stations, out-buildings and for other railway purposes) over which power and jurisdiction have been ceded to the British Government, namely:—

1. (1) *Short title and commencement.*—These rules may be called the Hyderabad (Railway-lands) Opium Rules, 1903; and

(2) They shall come into force only in such areas and on such dates as the Resident may, by notification in the Hyderabad Residency Orders, fix in this behalf.<sup>1</sup>

2. (1) *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

(a) “Resident” means the Resident at Hyderabad;

(b) “Magistrate” means,—

(i) in the case of any inquiry into, or trial of, any charge against a European British subject or any person accused of having committed offences conjointly with such a subject, a Justice of the Peace appointed under section 6 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879)<sup>2</sup>, in or for any area in which these rules are in force; and

(ii) in all other cases, any Magistrate exercising within any such area powers not less than those of a Magistrate of the second class;

(c) “excise officer” means any person appointed by the Resident to be an excise officer for the purposes of these rules;

(d) “opium” means the inspissated juice of the poppy and includes preparations or admixtures of opium and intoxicating drugs prepared from the poppy, and the capsules of the poppy plant from which the juice has not been extracted, but does not include <sup>3</sup>[morphia and its preparations or] poppy-heads as hereinafter defined;

(e) “poppy-heads” means the capsules of the poppy plant from which the juice has been extracted;

(f) “licensed vendor” means a person licensed to sell opium by or under any law for the time being in force in His Highness the Nizam’s dominions relating to opium revenue;

<sup>1</sup> They were so brought into force in all the railway lands in the Administered Areas from the 1st April, 1903. See notification No. 7, dated the 23rd February, 1903. *Hyderabad Residency Orders*, 1903, Pt. I, p. 66.

<sup>2</sup> See footnote 2 on previous page.

<sup>3</sup> Inserted by notification No. 2591-I. B., dated the 22nd November, 1911. *Gazette of India*, 1911, Pt. I, p. 1014.

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- (g) "licensed druggist" means a person holding a license under rule 8;
  - (h) "tola" means a weight of one hundred and eighty grains Troy;
  - (i) "ser" means a weight of eighty tolas;
  - (j) "manufacture" includes every process, whether natural or artificial, by which opium is produced or prepared;
  - (k) opium when sold in any quantity not exceeding <sup>1</sup>[three tolas] and poppy-heads when sold in any quantity not exceeding five seers, shall be deemed to be sold by retail;
  - <sup>2</sup>[(l) "import" means to bring within the limits of any area in which these rules are for the time being in force;
  - (m) "export" means to remove beyond the limits of any area in which these rules are for the time being in force;
  - (n) "transport" means to move from one place to another within the limits of any area in which these rules are for the time being in force.]

(2) In any case in which doubt arises, the Resident may decide what, for the purpose of these rules, shall be deemed to be "opium", and his decision shall be final.

<sup>3</sup>[3. (1) The cultivation of the poppy within any area in which these rules are for the time being in force, is prohibited.

(2) Save as hereinafter otherwise provided, the import, export, manufacture, possession and sale of opium or poppy-heads from, into or in the area in which these rules are for the time being in force, is prohibited.]

<sup>4</sup>[3-A. The import, export or transport by inland post of opium will be permitted subject to the following conditions:—

- (1) only the parcel post shall be used;
- (2) the parcels shall be insured;
- (3) the parcels shall be covered by permits issued by the proper authorities in the province to which the parcels are addressed;
- (4) the parcels shall be accompanied by a declaration stating the names of the consignee and consignor, the contents of the

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<sup>1</sup> Substituted by notification No. 599-I. B., dated the 28th February, 1918. *Gazette of India*, 1918, Pt. I, p. 325.

<sup>2</sup> Added by notification No. 2054-I. B., dated the 9th September, 1915. *Gazette of India*, 1915, Pt. I, p. 1784.

<sup>3</sup> Substituted by notification No. 176-I., dated the 21st April, 1926. *Gazette of India*, 1926, Pt. I, p. 495.

<sup>4</sup> Inserted by ditto.

parcels in detail, the permit number and date covering the transmission and the number of the license held by the consignee;

- (5) the consignee shall shew distinctly in his account books the name of the consignor and the quantity of opium sent to him from time to time by post].

4. (1) *Import and export.*—Opium and poppy-heads may be imported and exported, if—

(a) they are consigned through by railway to the Province of Madras without bulk being broken; or

(b) they are carried, for his own consumption and not for sale, by any person entitled to possess the same under rule 7.

(2) Opium, other than preparations or admixtures of opium and intoxicating drugs used for smoking, and poppy-heads may be imported and exported, if—

(a) they are consigned from Indore—

(i) to the Hyderabad railway station to the care of the Taluqdar of Abkari in His Highness the Nizam's service, or

(ii) to the Gulbarga, Aurangabad, Jalna, Parbhani, Nander, Indur or Warangal railway stations to the care of the First Taluqdar; and

(b) they are covered by a pass granted by the Deputy Opium Agent at Indore.

5. (1) *Examination of opium after import.*—Opium or poppy-heads imported under rule 4, sub-rule (2), shall be immediately taken, with bulk unbroken, before the senior officer of police on duty at the delivering railway station to be weighed and examined.

(2) Where and in so far as, on examination, such officer is satisfied that the opium or poppy-heads is or are covered by the pass, he shall allow the consignee or his agent to remove it or them.

(3) Where and in so far as the opium or poppy-heads is or are found not to be covered by the pass, it or they shall be liable to be treated as opium or poppy-heads imported in contravention of these rules.

6. (1) *Manufacture.*—Save as hereinafter otherwise provided, preparations and admixtures of opium and intoxicating drugs prepared from the poppy may be manufactured by any person for his own consumption and not for sale.

(2) Save as aforesaid, preparations and admixtures of opium and intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium or intoxicating drugs used for smoking, may, subject to the terms and conditions of his license, be manufactured by any licensed druggist for the sale by retail for medicinal purposes only:

Provided that the quantity manufactured, together with the quantity (if any) already possessed by such person or licensed druggist, shall not exceed the quantity which he is permitted by rule 7 to possess.

Provided, also, that preparations or admixtures of opium or intoxicating drugs prepared from the poppy shall not be manufactured by any such person or licensed druggist from any opium which he is not permitted by the said rule to possess.

7. (1) *Possession*.—Any person may possess—

- (a) opium other than a preparation or admixture of opium or intoxicating drug used for smoking, in any quantity not exceeding [three]<sup>1</sup> tolas;
- (b) any preparation or admixture of opium or intoxicating drug used for smoking, in any quantity not exceeding one tola;
- (c) poppy-heads in any quantity not exceeding five seers:

Provided that such opium or poppy-heads has or have been purchased, or such preparation or admixture or intoxicating drug has been manufactured from opium purchased by the possessor from a licensed vendor or a licensed druggist.

(2) A person authorized by the general or special order in writing of the Superintendent of Railway Police to possess—

- (i) opium, other than a preparation or admixture of opium or intoxicating drug used for smoking, in any quantity not exceeding half a seer;
- (ii) any preparation or admixture of opium or intoxicating drug used for smoking, in any quantity not exceeding five tolas;
- (iii) poppy-heads in any quantity not exceeding ten seers;

may possess the opium or poppy-heads covered by such order.

(3) A licensed druggist may, subject to the terms and conditions of his license, possess opium, other than preparations or admixtures of opium or intoxicating drugs used for smoking, in any quantity not exceeding one seer and poppy-heads in any quantity not exceeding ten seers.

8. (1) *Sale*.—Licenses to sell opium or poppy-heads may be granted to druggists by the Superintendent of Railway Police and shall be free of charge.

(2) A druggist licensed under sub-rule (1) may, subject to the terms and conditions of his license, sell by retail, for medicinal purposes only, and to railway employes and *bonâ fide* travellers only, <sup>2</sup>[who are not

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<sup>1</sup> Substituted by notification No. 599-I. B., dated the 28th February, 1918. *Gazette of India*, 1918, Pt. I, p. 325.

<sup>2</sup> Inserted by ditto.

below 15 years of age], opium, other than preparations or admixtures of opium and intoxicating drugs used for smoking, or poppy-heads.

9. *Disposal of opium or poppy-heads after expiry or cancellation of orders or licenses.*—On the expiry or cancellation of any order made under rule 7, sub-rule (2), or of any license granted under rule 8, any opium or poppy-heads in the possession of the person authorized or of the licensed druggist shall be disposed of in such manner as the Superintendent of Railway Police, subject to any general or special orders made by the Resident in this behalf, may direct.

10. Nothing in these rules shall be deemed to limit or otherwise affect—

(a) the possession in good faith of opium or poppy-heads for medicinal purposes only by any medical officer of the British Government or of His Highness the Nizam's Government in any quantity exceeding that permitted by rule 7, or

(b) the possession, <sup>1</sup>[import, export, transport or sale] of opium or poppy-heads by or on behalf of, the British Government or of His Highness the Nizam's Government.

<sup>2</sup>[(c) the possession, import, export, transport or sale of any preparations or admixtures of opium or intoxicating drugs prepared from the poppy which the Resident may, with the previous sanction of the Governor-General in Council, declare by notification in the Hyderabad Residency Orders to be exempt from the operation of these rules.]

11. *Transport.*—Where any consignment of opium or poppy-heads is transported by railway, the Station-Master, or other railway servant for the time being in charge, at the forwarding and delivering railway stations, respectively, shall be bound to give immediate information to the senior police officer on duty at such station.

12. (1) *Power to issue orders regarding things confiscated and rewards.*—The Resident may, by notification in the Hyderabad Residency Orders, issue orders, consistent with these rules, to regulate—

(a) the disposal of all things confiscated, other than poppy, opium and poppy-heads, and

(b) the rewards to be paid to officers and informers out of the proceeds of fines and confiscations.

<sup>1</sup> Substituted by notification No. 2054-I. B., dated the 9th September, 1915. *Gazette of India*, 1915, Pt. I, p. 1784.

<sup>2</sup> Added by ditto.



(2) Poppy, opium and poppy-heads confiscated under these rules, shall be made over with as little delay as possible to a responsible officer of His Highness the Nizam's Government.

13. *Power to detain, search and arrest persons.*—Any officer of police or excise officer may detain and search any person whom he has reason to believe to be guilty of any offence against these rules or to be carrying any opium or poppy-heads liable to confiscation; and may seize such opium or poppy-heads, together with any packages, coverings or vessels in which it or they is or are contained together with the other contents (if any) of such packages, coverings or vessels; and may also arrest the person in whose possession such opium or poppy-heads is or are found.

14. *Power to search premises.*—Any officer of police or excise officer, superior in rank to a constable or peon and authorized by the Resident in this behalf, who has reason to believe that any opium or poppy-heads liable to confiscation is or are manufactured, sold, kept or concealed in any building, vessel or enclosed place, may between sunrise and sunset,—

- (a) enter into any building, vessel or place;
- (b) in case of resistance, break open any door and remove any other obstacles to such entry;
- (c) seize such opium or poppy-heads together with all materials used in the manufacture of such opium, and any other thing which he has reason to believe to be liable to confiscation; and
- (d) detain and search, and, if he thinks proper, arrest any person whom he has reason to believe to be guilty of any offence relating to such opium or poppy-heads under these rules.

15. *Warrant of arrest.*—A Magistrate may issue a warrant for the arrest of any person whom he has reason to believe to be engaged in the unlawful manufacture or sale of any opium or poppy-heads or to have in his possession any article liable to confiscation, or to have committed any other offence against these rules.

16. *Search warrant.*—(1) A Magistrate may issue his warrant for the search of any place in which he has reason to believe that any opium or poppy-heads is or are unlawfully manufactured, sold, kept or concealed.

(2) Such warrant may be executed by any officer of police or excise officer, superior in rank to a constable or peon, at the time, and in the manner, hereinbefore prescribed by rule 14.

(3) Where any Magistrate is of opinion that the search should be made after sunset on any particular day and before sunrise on the day next following, he may issue a warrant specially authorizing the search so to be made; and such warrant may be executed by any officer of police

or excise officer; superior in rank to a constable or peon, and shall cease to be in force at sunrise as aforesaid.

17. *Procedure after arrest or seizure.*—Where any person is arrested, or any person or place is searched, or any article is seized, under these rules, the officer making such arrest, search or seizure shall—

- (a) report the full particulars of such arrest, search or seizure to his superior officer within twenty-four hours, and
- (b) bring any person arrested or article seized before a Magistrate within twenty-four hours, exclusive of the time occupied on the journey from the place of arrest or seizure, to such Magistrate.

18. *Penalties for contravening rules 3 to 10.*—(1) Any person who, in contravention of any of the provisions of rules 3 to 10—

- (a) cultivates the poppy, or
- (b) manufactures opium, or
- (c) possesses opium or poppy-heads, or
- (d) [imports, exports or transports]<sup>1</sup> opium or poppy-heads, or
- (e) sells opium or poppy-heads,

and any person who otherwise contravenes any of the said rules, shall, on conviction before a Magistrate, be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

(2) Where a fine is imposed under sub-rule (1), the convicting Magistrate shall direct the offender to be imprisoned in default of payment of the fine for a term which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced.

19. *Confiscation of opium or poppy-heads.*—(1) In any case in which an offence under rule 18 has been committed,—

- (a) the poppy, opium or poppy-heads in respect of which the offence has been committed,
- (b) where, in the case of an offence under clause (d) of the same rule, the offender is importing or exporting any opium or poppy-heads in contravention of the provisions of rule 3, the whole of the opium or poppy-heads which he is importing or exporting, and

<sup>1</sup> Substituted by notification No. 2054-I. B., dated the 9th September, 1915. *Gazette of India*, 1915, Pt. I, p. 1784.

(c) where, in the case of an offence under clause (e) of the same rule, the offender has in his possession any opium or poppy-heads other than the opium or poppy-heads in respect of which the offence has been committed, the whole of such other opium or poppy-heads, shall be liable to confiscation.

(2) The vessels, packages and coverings in which the opium or poppy-heads liable to confiscation under this rule is or are found, and the other contents (if any) of the vessels or packages in which such opium or poppy-heads is or are concealed, and the animals and conveyances used in carrying such opium or poppy-heads, shall likewise be liable to confiscation.

(3) Any article liable, on the conviction of an offender, to confiscation under these rules may be confiscated by the order of a Magistrate, whether any conviction of an offence against these rules is obtained against any person in respect of such article or not.

(4) Where confiscation is authorized under these rules, the Magistrate ordering it may give the owner of the thing liable to be confiscated an option to pay, in lieu of confiscation, such fine as the Magistrate thinks fit.

(5) Where an offence against these rules has been committed, but the offender is not known or cannot be found, or where any opium or poppy-heads not in the possession of any person cannot be satisfactorily accounted for the case shall be enquired into and determined by a Magistrate, who may order confiscation :

Provided that no such order shall be made until the expiration of one month from the date of seizing the article or articles intended to be confiscated or without hearing the persons (if any) claiming any right thereto and the evidence (if any) adduced in support of their claims.

20. *Offences by licensed druggists or their servants or agents.*—Any licensed druggist, or servant or agent of such licensed druggist, who wilfully—

- (a) fails, on the demand of any officer of police or excise officer, to produce his, or his employer or principal's, license, or
- (b) commits any contravention of these rules not otherwise provided for, or
- (c) contravenes any of the terms or conditions of his, or his employer or principal's, license,

shall, on conviction before a Magistrate, be punishable with fine which may extend to one hundred rupees.

21. *Offences by police officers and excise officers.*—Any officer of police or excise officer who—

- (a) without reasonable ground of suspicion enters or searches, or causes to be entered or searched, any place, or
- (b) vexatiously and unnecessarily seizes the moveable property of any person on the pretence of seizing or searching for any article liable to confiscation under these rules, or
- (c) vexatiously and unnecessarily detains, searches or arrests any person,

shall, on conviction before a Magistrate, be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees or with both.

22. *Attempts.*—Whoever attempts to commit any offence punishable under these rules shall, on conviction before a Magistrate, be liable to the same punishment as that provided for such offence.

23. *Presumption as to offences.*—(1) Where any person is accused of any offence punishable under rule 18, he shall, until the contrary is proved, be presumed to have committed an offence punishable under the said rule in respect of any opium or poppy-heads, or any utensil, implement or apparatus for the manufacture of opium, or any such materials as are ordinarily used for such manufacture, for the possession of which he is unable satisfactorily to account.

(2) Where any offence punishable under rule 18 or rule 20 has been committed by the servant or agent of any licensed druggist such licensed druggist shall, until he is proved to have exercised reasonable care and diligence to prevent the commission of such offence, be deemed to have abetted it within the meaning of Chapter V of the Indian Penal Code (Act XLV of 1860).

24. *Supersession of rules.*—On and with effect from the day fixed by a notification issued under rule 1, sub-rule (2), and in the area to which such notification applies, the rules regarding the transit of opium by railway in His Highness the Nizam's dominions, published with the Resident's notification No. 24, dated the 15th August, 1892, shall cease to be in force.

[*Gazette of India*, 1903, Pt. I, p. 97.]

*Hyderabad Residency Bazars and Cantonments Arms Law, 1903.*<sup>1</sup>

No. 3630-I. B., dated the 31st July, 1903.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902,

<sup>1</sup> For the law in force in the railway lands in the Administered Areas, see the Railway Arms Rules, 1890, *supra*, p. 54.

and in supersession of the notification of the Government of India in the Foreign Department, No. 2134-I. B., dated the 5th August, 1898, the Governor General in Council is pleased to apply the Indian Arms Act, 1878 (XI of 1878), to the Hyderabad Residency Bazars, the Cantonment of Secunderabad and the Hyderabad Contingent Stations of Aurangabad and Bolarum, in the form hereinafter set forth.

INDIAN ARMS ACT, 1878, AS APPLIED TO THE HYDERABAD RESIDENCY  
BAZARS, ETC.

*I.—Preliminary.*

1. *Short title and extent.*—This Law may be called the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and it extends to the Hyderabad Residency Bazars, the Cantonment of Secunderabad and the Hyderabad Contingent stations of Aurangabad and Bolarum.

2. *Savings.*—Nothing in this Law shall apply to the manufacture, conversion, sale, import, export, transport, bearing or possession of arms, ammunition or military stores by order of the Government, or by a public servant <sup>1</sup>[a member of either of the forces constituted by the Indian Territorial Force Act, 1920, or the Auxiliary Force Act, 1920, in the course of his duty as public servant or member].

3. *Interpretation clause.*—In this Law, unless there is anything repugnant in the subject or context,—

- (a) “cannon” includes all howitzers, mortars, wall-pieces, mitrailleuses and other ordnance and machine guns, all parts of the same and all carriages, platforms and appliances for mounting, transporting and serving the same:
- (b) “arms” includes fire-arms, bayonets, swords, daggers, spears, spear-heads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms:
- (c) “ammunition” includes articles specially designed for torpedo service and submarine mining, rockets, gun-cotton, dynamite, lithofracteur and other explosive or fulminating material, gun-flint, gun-wads, percussion-caps, fuses and friction-tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur and saltpetre:
- (d) the expression “military stores” in any section of this Law means any military stores to which the Governor General in

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<sup>1</sup> Substituted by Notification No. 73-I., dated the 27th February, 1929. *Gazette of India*, 1929, Pt. I, p. 192.

Council may, by notification in the Hyderabad Residency Orders, specially extend such section, and includes—

- (i) sulphur, when possessed in quantities exceeding ten seers at any one time,
  - (ii) leaden bird-shot and bullets when possessed in quantities exceeding one hundredweight at any one time, and
  - (iii) lead, saltpetre and other material to which the Governor General in Council may so extend such section:
- (e) “license” means a license granted under this Law and  
 “licensed” means holding such license: and
- <sup>1</sup>(f) \* \* \* \* \*

## II.—*Manufacture, conversion and sale.*

4. *Manufacture, conversion and sale.*—(1) No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores, except under a license, and in the manner and to the extent permitted thereby.

(2) Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use, to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 21 shall, without unnecessary delay, give to the <sup>2</sup>[District Magistrate] or the officer in charge of the nearest police station, notice of the sale and of the purchaser's name and address.

## III.—*Import, Export and Transport.*

5. *Import and export.*—(1) No person shall bring or take into or out of the Hyderabad Residency Bazars, the Cantonment of Secunderabad, or the Contingent Station of Aurangabad or Bolarum, any arms, ammunition or military stores, except under a license, and in the manner and to the extent permitted thereby.

(2) Nothing in sub-section (1) extends to arms (other than cannon) or ammunition imported or exported in reasonable quantities for his own private use by any person lawfully entitled to possess arms or ammunition, either in British India or in the Residency Bazars, the Cantonment

<sup>1</sup> Deleted by notification No. 428-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. 1, p. 781.

<sup>2</sup> Substituted by ditto.

and Contingent Stations aforesaid; but the <sup>1</sup>[District Magistrate] may at any time detain such arms or ammunition until he receives the orders of the Resident thereon.

6. *Transport.*—The Governor General in Council may by notification in the Hyderabad Residency Orders,—

(a) regulate or prohibit the transport of any description of arms, ammunition or military stores over the whole of the Hyderabad Residency Bazars, the Cantonment of Secunderabad and the Contingent Stations of Aurangabad and Bolarum, or any part thereof, either altogether or except under a license and to the extent and in the manner permitted thereby; and

(b) cancel any such notification.

7. *Arrest and seizure.*—(1) When any person is found carrying or conveying any arms, ammunition or military stores, whether covered by a license or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used for any unlawful purpose, any person may, without warrant, apprehend him and take such arms, ammunition or military stores from him.

(2) Any person so apprehended, and any arms, ammunition or military stores so taken by a person not being a Magistrate or Police Officer shall be delivered over as soon as possible to a Police Officer.

(3) All persons apprehended by, or delivered to a Police officer, and all arms, ammunition seized by, or delivered to, any such officer under this section, shall be taken without unnecessary delay before a Magistrate.

#### *IV.—Going armed and possessing arms, etc.*

8. *Going armed.*—(1) No person shall go armed with any arms, except under a license and to the extent and in the manner permitted thereby.

(2) Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police officer or other person empowered by the Resident at Hyderabad in this behalf by name or virtue of his office.

9. *Possession.*—After a date to be fixed in this behalf by the Resident at Hyderabad by notification in the Hyderabad Residency Orders,<sup>2</sup> no person shall have in his possession or under his control any cannon or

<sup>1</sup> Substituted by Notification No. 428-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 781.

<sup>2</sup> The 1st January, 1905, was so fixed, see Notification No. 90, dated the 3rd October, 1904. *Hyderabad Residency Orders*, 1904, Pt. I, p. 199.

fire-arms, or any ammunition or military stores, except under a license and to the extent and in the manner permitted thereby.

<sup>1</sup>[10. *In certain cases arms to be deposited at police stations or with licensed dealers.*—(1) Any person possessing arms, ammunition, or military stores the possession whereof has, in consequence of the cancellation or expiry of a license or of an exemption, become unlawful, shall without unnecessary delay deposit the same either with the officer in charge of the nearest police station or, at his option and subject to such conditions as the Resident may, by rule made by notification in the Hyderabad Residency Orders, prescribe, with a licensed dealer.

(2) When arms, ammunition or military stores have been deposited under sub-section (1) or, before the first day of January, 1920, under the provisions of any law for the time being in force, the depositor shall, at any time before the expiry of such period as the Resident may, by rule made by notification in the Hyderabad Residency Orders prescribe, be entitled:—

- (a) to receive back any thing so deposited the possession of which by him has become lawful, and
- (b) to dispose, or authorize the disposal, of any thing so deposited by sale or otherwise to any person whose possession of the same would be lawful; and to receive the proceeds of any such sale:

Provided that nothing in this sub-section shall be deemed to authorize the return or disposal of any thing the confiscation of which has been directed under section 18.

(3) All things deposited as aforesaid and not returned or disposed of under sub-section (2) within the prescribed period therein referred to shall be forfeited.

(4) (a) The Resident may, by notification in the Hyderabad Residency Orders, make rules consistent with this section for carrying into effect the provisions thereof.

(b) In particular and without prejudice to the generality of the foregoing provision, the Resident may by such rules prescribe—

- (i) the conditions subject to which arms, ammunition and military stores may be deposited with a licensed dealer, and
- (ii) the period after the expiry of which things deposited as aforesaid shall be forfeited under sub-section (3).]

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<sup>1</sup> Substituted by Notification No. 3071-G., dated the 25th December, 1919. *Gazette of India*, 1919, Pt. I, p. 2445.



V.—Licenses.

11. *Rules.*—The Governor General in Council may, by notification in the Hyderabad Residency Orders, make rules to determine the officers by whom, the form in which, and the terms and conditions on and subject to which, any license shall be granted; and may by such rules, among other matters,—

- (a) fix the period for which such license shall continue in force;
- (b) fix a fee, payable by stamp or otherwise, in respect of any such license;
- (c) direct that the holder of any such license, other than a license for possession, shall keep a record or account, in such form as the Resident may prescribe, of anything done thereunder, and exhibit such record or account when called upon by an officer of the Government to do so;
- (d) empower any officer of the Government to enter and inspect any premises in which arms, ammunition or military stores are manufactured or kept by any person holding a license of the description referred to in section 4 or section 5;
- (e) direct that any such person shall exhibit the entire stock of arms, ammunition or military stores in his possession or under his control to any officer of the Government so empowered; and
- (f) require the person holding any license or acting under any license to produce the same, and to produce or account for the arms, ammunition or military stores covered thereby when called upon by an officer of the Government so to do.

12. *Cancellation and suspension of licenses.*—Any license may be cancelled or suspended:—

- (a) by the officer by whom it was granted, or by any authority to which he may be subordinate, or by the <sup>1</sup>[District Magistrate] when, for reasons to be recorded in writing, such officer or authority deems it necessary for the security of the public peace to cancel or suspend such license; or
- (b) by any Judge or Magistrate before whom the holder is convicted of an offence against this law or the rules thereunder; and

the Resident may, by notification in the Hyderabad Residency Orders, cancel or suspend wholly or partially, any license or all licenses granted under this Law.

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<sup>1</sup> Substituted by Notification No. 428-I., dated the 25th August, 1925. *Gazette of India*, 1925, Pt. I, p. 781.

VI.—*Penalties.*

13. *For breaches of sections 4, 5, 6, 8 to 11.*—Whoever—

- (a) manufactures, converts or sells, or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of section 4;
- (b) fails to give notice as required by section 4;
- (c) imports or exports any arms, ammunition or military stores in contravention of the provisions of section 5;
- (d) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section 6;
- (e) goes armed in contravention of the provisions of section 8;
- (f) has in his possession or under his control any cannon, fire-arms, ammunition or military stores in contravention of the provisions of section 9;
- (g) intentionally makes any false entry in a record or account which by a rule made under section 11, clause (c), he is required to keep;
- (h) intentionally fails to exhibit anything which, by a rule made under section 11, clause (e), he is required to exhibit; or
- (i) fails to deposit arms, ammunition or military stores as required by section 9 or section 10,

shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

14. *For secret breaches of sections 4, 5, 6, 9 and 10.*—Whoever does any act mentioned in clause (a), (c), (d) or (f) of section 13 in such manner as to indicate an intention that such act may not be known to any public servant, or to any person employed upon a railway, or to the servant of any public carrier, and whoever on any search being made under section 10, conceals or attempts to conceal any arms, ammunition or military stores, shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

15. *For breach of license.*—Whoever, in violation of a condition subject to which a license has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section 13 or section 14, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

16. *For authorised purchase, delivery, etc., of arms.*—Whoever knowingly purchases any arms, ammunition or military stores from any

person not licensed or authorised under section 4, sub-section (2) to sell the same, or delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorised to possess the same, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

17. *For breach of rule.*—Any person violating any rule made under this Law, for the violation of which no penalty is otherwise provided, shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

18. *Confiscation.*—When any person is convicted of an offence punishable under this Law committed by him in respect of any arms, ammunition or military stores, the convicting court or Magistrate may further direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage-animal used to convey the same, and any box, package, or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

#### VII.—*Miscellaneous.*

19. *Search, etc., by Magistrate.*—(1) Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any arms, ammunition or military stores for any unlawful purpose, or that such person cannot be left in the possession of any such arms, ammunition or military stores without danger to the public peace, he may, after recording the ground of his belief, cause a search to be made of the house or premises occupied by such person or in which he has reason to believe such arms, ammunition or military stores to be, and seize and detain the same, although covered by a license, in safe custody for such time as he thinks necessary.

(2) The search in such case shall be conducted by, or in the presence of, a Magistrate, or by, or in the presence of, some officer specially empowered in this behalf by the Resident.

20. *Detention by Resident.*—The Resident may order or cause to be seized any arms, ammunition or military stores in the possession of any person, although licensed to possess the same and may detain the same for such time as he thinks necessary.

21. *Power to exempt.*—The Governor General in Council may by notification in the Hyderabad Residency Orders,—

- (a) exempt any person by name or in virtue of his office, or any class of persons, or exclude any description of arms or

ammunition, withdraw any local area, from the operation of any prohibition or direction contained in this Law; and

- (b) cancel any such modification, and again subject the persons or things or local area to the operation of such prohibition or direction.

22. *Information to be given regarding offences.*—Every person aware of the commission of any offence against this Law shall, in the absence of reasonable excuse, the burden of proving which shall lie upon him, give information of the same to the nearest Magistrate or Police Officer, and every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse, the burden of proving which shall lie upon him, give information to the nearest Police Officer regarding any box, package or bale in transit which he has reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Law has been or is being committed.

23. *Sanction to proceedings under section 13, clause (f).*—No proceedings in respect of an offence punishable under section 13, clause (f), shall be instituted without the previous sanction of the First Assistant<sup>1</sup> Resident.

24. *Conduct of searches.*—Where a search is to be made under the Code of Criminal Procedure, 1898, in the course of any proceedings instituted in respect of an offence punishable under section 13, clause (f), such search shall, notwithstanding anything contained in the said Code, be made in the presence of some officer specially appointed in this behalf by the Resident.

25. *Census of fire-arms.*—(1) The Resident may, by notification in the Hyderabad Residency Orders, direct a census to be taken of all fire-arms in any local area, and empower any person to take such census.

(2) On the issue of a notification under sub-section (1), all persons possessing any such arms in such local area shall furnish to the person so empowered such information as he may require in reference thereto, and shall produce such arms to him if he so requires.

(3) Whoever refuses or neglects to produce any such arms when so required, shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

26. *Notice and limitation of proceedings.*—No proceeding other than a suit shall be commenced against any person for anything done in pursuance of this Law without having given him at least one month's previous notice in writing of the intended proceedings and of the cause

<sup>1</sup> Now designated Secretary to the Resident.

thereof, nor after the expiration of three months from the accrual of such cause.

[*Gazette of India*, 1903, Pt. I, p. 625.]

*Hyderabad Residency Legal Practitioners Rules, 1904.*

No. 534-I. B., dated the 4th February, 1904.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor General in Council is pleased to make the following rules to regulate the admission to practise and the practice of Legal Practitioners in the Court of the Resident at Hyderabad, and in Courts subordinate to that Court in the Hyderabad Residency Bazzars, the Cantonment of Secunderabad (inclusive of the area hitherto known as the “Contingent Station” of Bolarum) the Cantonment (hitherto known as the “Contingent Station”) of Aurangabad, and the railway lands in the territories of His Highness the Nizam of Hyderabad (other than the railway lands in Berar and those referred to in the notifications of the Government of India in the Foreign Department, No. 4564-I., dated the 18th November, 1891, and No. 3244-I. B., dated the 26th August, 1897):—

CHAPTER I.—PRELIMINARY.

1. *Short title, commencement and extent.*—(1) These rules may be called the Hyderabad Residency Legal Practitioners Rules, 1904; and

(2) They shall come into force at once.

(3) They extend to the Hyderabad Residency Bazzars, the Cantonment of Secunderabad (inclusive of the area hitherto known as the “Contingent Station” of Bolarum), the Cantonment (hitherto known as the “Contingent Station”) of Aurangabad, and the railway lands in the territories of His Highness the Nizam of Hyderabad (other than the railway lands in Berar and those referred to in the notification of the Government of India in the Foreign Department, No. 4564-I., dated the 18th November, 1891, and No. 3244-I. B., dated the 26th August, 1897).

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject, or context,—

(a) “advocate” means any person admitted as an advocate under Chapter III;

granted under Chapter IV;

(b) “pleader” means any person holding a certificate as a pleader

(c) “Resident” means the Resident at Hyderabad;

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<sup>1</sup> See now Notification No. 778-I. B., dated the 9th April, 1913. Printed, Vol. VIII, Western Division, A.

- (d) “subordinate Court” means any Court, subordinate, or hereafter declared by the Governor General in Council to be, for the purposes of these rules, subordinate to the Resident; and
- (e) “tout” means any person who procures the employment in any legal business of any legal practitioner in consideration of any remuneration moving from such practitioner, or proposes to any legal practitioner to procure his employment in any legal business in consideration of such remuneration.

## CHAPTER II.—GENERAL PROVISIONS.

3. *Authority to practise.*—Except as provided in the <sup>XIV of</sup> Code of Civil Procedure or the Code of Criminal Procedure, 1898, as applied, or in any <sup>V of 18</sup> other law for the time being in force no person shall appear, plead, or act for any other person in the Court of the Resident or in any subordinate Court unless he is an advocate or pleader authorized so to do under these rules:

Provided that any person who is entered as an advocate, vakil, or attorney on the roll of any High Court established under the Indian High Courts Act, 1861, <sup>24 and 2</sup> [or the Government of India Act, 1915] or as an <sup>Vict., c.</sup> advocate on the roll <sup>3</sup> \* \* \* <sup>4</sup> \* \* \* of the Court of the Judicial Commissioner of the Central Provinces, and who ordinarily practises in such Court or in some Court subordinate thereto, shall be entitled to appear, plead, and act in the Court of the Resident or in any subordinate Court without being admitted as an advocate or granted a certificate as a pleader under these rules.

## CHAPTER III.—ADVOCATES.

4. *Persons eligible for admission as advocates.*—Any person who has been admitted as a barrister in England or Ireland or as a member of the Faculty of Advocates in Scotland, may, in the discretion of the Resident, be admitted as an advocate of the Court of the Resident.

5. *Certificates required.*—Every person desirous of being admitted as an advocate under this chapter shall, before being so admitted, submit an application as hereinafter provided and produce therewith a certificate showing that he has been admitted as barrister in England or Ireland, or as a member of the Faculty of Advocates in Scotland, together with satisfactory certificates of good moral and ability.

<sup>1</sup> See now the Code of Civil Procedure, 1908, as applied. *Supra*, p. 27.

<sup>2</sup> Inserted by Notification No. 4775-L. B., dated the 11th November, 1919. *Gazette of India*, 1919, Pt. I, p. 2201.

<sup>3</sup> Omitted by ditto.

6. *Form of application.*—Every application for admission as an advocate under this chapter shall be in the form of a letter addressed to the Resident stating the date on which, and if the applicant is a barrister, the Inn by which the applicant was called to the Bar, and that it is his intention to practise within the jurisdiction of the Court of the Resident.

7. *Admission discretionary.*—(1) The Resident may, in his discretion, grant or refuse an application submitted under this chapter, and his order thereon shall be final.

(2) If the application is refused, the Resident shall not be bound to specify his reasons for such refusal.

(3) If the application is granted, the Resident will give the applicant on his supplying a stamp of the value of three hundred rupees, a certificate of admission under his signature and the seal of the Court, and enrol his name in his Court's Register of Advocates.

8. *Practice.*—Every person admitted as an advocate under this chapter shall be entitled to practise in any subordinate Court as well as in the Court of the Resident.

#### CHAPTER IV.—CERTIFICATES OF PLEADERS.

9. *Admission of Pleadors.*—The following persons may, if the Resident thinks fit, be admitted as pleader and granted certificates in the form set forth in the schedule:—

- (a) Any person who holds a certificate in Form I or Form II granted under the Hyderabad Assigned Districts Legal Practitioners Rules, 1899;
- (b) Any vakil or attorney of any of the High Courts of Judicature in British India,<sup>1</sup> \* \* \* , or of the Court of the Judicial Commissioner of the Central Provinces;
- (c) Any person who has obtained the degree of Master of Laws or Bachelor of Laws in any British or Indian University, and who produces a certificate of respectability and of good moral conduct;
- (d) Any person who has passed the examination prescribed by the High Court of Bombay for pleaders of the High Court, or by the High Court of Madras, or by the Judicial Commissioner of the Central Provinces for pleaders of the first grade and who produces a certificate of respectability and of good moral conduct;

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<sup>1</sup> Omitted by Notification No. 4775-I. B., dated the 11th November, 1919. *Gazette of India*, 1919, Pt. I, p. 2201.

<sup>1</sup>(e) Any retired Judicial Officer who has passed the Departmental Examinations by the Higher Standard.

10. *Expiry and renewal.*—Original certificates shall be valid till the thirty-first day of December following the date of their issue, but the holders shall, on application and delivery of their original certificates to the Resident for cancellation receive renewed certificates.

11. *Renewed certificates.*—Renewed certificates shall be valid till the thirty-first day of December following the date of their issue, but the holders shall, on application and delivery of their expired certificates to the Resident for cancellation, receive from year to year renewed certificates.

12. *List to be published.*—The Resident shall cause to be published every year in the *Hyderabad Residency Orders* a list of persons whose certificates are valid for the current year.

13. *Stamp-paper.*—Every certificate in Form A appended to the rules, whether original or renewed, shall be written upon stamped paper of the value of fifty rupees to be provided by the applicant:

Provided that in the case of original certificates or certificates renewed under rule 10, which are issued for a portion only of the year, the fees shall be proportionately reduced, but that no reduction shall be made for a fraction of a quarter.

#### CHAPTER V.—SUSPENSION FROM PRACTICE AND CANCELLATION OF CERTIFICATES.

14. *Suspension from practice or cancellation of certificates by Resident.*—The Resident may suspend from practice, or cancel the certificate of any advocate or pleader who is convicted of any offence implying a defect of character unfitting him to be an advocate or pleader; and may likewise suspend from practice or cancel the certificate of any advocate or pleader—

- (a) who takes instructions in any case, except from the party on whose behalf he is retained, or some person who is the recognized agent of such party within the meaning of the <sup>2</sup>Code of Civil Procedure, or some servant, relative, or friend, authorized by the party to give such instructions; or
- (b) who is guilty of fraudulent or grossly improper conduct in the discharge of its professional duty; or

<sup>1</sup> Added by Notification No. 4400-I. B., dated the 9th December, 1904. *Gazette of India*, 1904, Pt. I, p. 917.

<sup>2</sup> See now the Code of Civil Procedure, 1908 (Act V of 1908), as applied. *Supra*, p. 27.



- (c) who tenders, gives, or consents to the retention, out of any fee paid or payable to him for his services, of any gratification for procuring, or having procured, the employment in legal business of himself or any other advocate or pleader; or
- (d) who directly or indirectly procures, or attempts to procure, the employment of himself as such advocate or pleader through or by the intervention of any person to whom any remuneration for obtaining such employment has been given by him, or agreed or promised to be so given; or
- (e) who accepts any employment in any legal business through the intervention of a person who has been proclaimed as a tout under rule 27; or
- (f) for any other reasonable cause.

15. (1) *Suspension from practice or cancellation of certificates at instance of subordinate Courts.*—If the presiding officer of any subordinate Court has reason to believe that any advocate or pleader practising before him has been guilty of fraudulent or unprofessional conduct, he shall reduce to writing in a concise form the grounds for his belief, and forward a copy of the same to the advocate or pleader, together with a notice that on a day therein appointed, not being less than twenty days from the date of despatch of the said copy, the matter will be taken into consideration.

(2) On such day, or on any subsequent day to which the inquiry may be adjourned, the presiding officer shall receive and record all evidence properly produced in support of, and opposition to, the charge, and shall record his finding in the case.

16. *Report by subordinate Court to Resident.*—(1) If the presiding officer finds the charge established, and considers that the advocate or pleader should be suspended in consequence, or that his certificate should be cancelled, he shall forward the proceedings in the case and his finding for the orders of the Resident.

(2) Every report made under sub-section (1)—

- (a) by any Civil Judge, or any District Magistrate, shall be made through the First Assistant<sup>1</sup> Resident;
- (b) by any subordinate Magistrate, shall be made through the District Magistrate and the First Assistant<sup>1</sup> Resident.

(3) Each officer through whom such report as aforesaid is forwarded shall record his opinion on the case for the information of the Resident.

17. *Order by Resident.*—The Resident may call for the record of any proceedings taken under rule 15, and pass such orders thereon as he may think fit.

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<sup>1</sup> Now designated Secretary to the Resident.

18. *Surrender of certificate*—Any advocate or pleader who has been suspended from practice, or whose certificate has been cancelled under this chapter, shall forthwith deliver up his certificate to such Court as the Resident may direct.

CHAPTER VI.—REMUNERATION OF ADVOCATES AND PLEADERS.

19. *Limitation of fees.*—Save by special leave of the Court, and except in the case of an Advocate or Pleader appearing on behalf of Government no fee shall in any case be entered as recoverable in a decree or order except on production of a certificate from the Advocate or Pleader that he has received such fee.

19A. In the taxation of costs as between the parties in any suit or proceeding in the court of the Resident or in any subordinate court, the sums allowed against the unsuccessful party in respect of the fees of his adversary's Advocate or Pleader shall be calculated in accordance with the provisions contained in the following rules:—

19B. (1) In suits or in appeals from original or appellate decrees in suits for money, effects or other personal property or for land or other immoveable property of any description, fees shall be payable on the following scale, namely:—

(a) When such suits or appeals are decided on the merits after contest or are compromised subsequent to the settlement of issues and after a partial or complete trial but before delivery of judgment, or where such appeals are decided *ex parte*,

(i) if the amount or value of the claim shall not exceed Rs. 5,000, 5 per cent. provided that in no case shall the fee payable be less than five rupees;

(ii) if the amount or value shall exceed Rs. 5,000 and shall not exceed Rs. 20,000 on Rs. 5,000 as above, and on the remainder, 2 per cent.;

(iii) if the amount or value shall exceed Rs. 20,000 and shall not exceed Rs. 50,000 on Rs. 20,000 as above, and on the remainder 1 per cent.;

(iv) if the amount or value shall exceed Rs. 50,000 and shall not exceed Rs. 80,000 on Rs. 50,000 as above, and on the remainder  $\frac{1}{2}$  per cent.;

(v) if the amount or value shall exceed Rs. 80,000, Rs. 1,000.

(b) When such suits are decided *ex parte* or when such suits or appeal are decided on confession of judgment or are dismissed for default after

<sup>1</sup> Rules 19 to 19N were substituted for the original rule 19 by Notification No. 436-I. B., dated the 2nd February, 1906. *Gazette of India*, 1906, Pt. I, p. 72.

all the requisite pleadings have been filed, or are compromised after the settlement of issues but before trial,

- (a) if the amount or value of the claim shall not exceed Rs. 5,000 not exceeding  $2\frac{1}{2}$  per cent provided that in no case shall the fee payable be less than five rupees;
- (ii) if the amount or value shall exceed Rs. 5,000 and shall not exceed Rs. 20,000 on Rs. 5,000 as above and on the remainder not exceeding 1 per cent.;
- (iii) if the amount or value shall exceed Rs. 20,000 and shall not exceed Rs. 50,000 on Rs. 20,000 as above and on the remainder not exceeding  $\frac{1}{2}$  per cent.;
- (iv) if the amount or value shall exceed Rs. 50,000 and shall not exceed Rs. 80,000 on Rs. 20,000 as above and on the remainder, not exceeding  $\frac{1}{4}$  per cent.;
- (v) if the amount or value shall exceed Rs. 80,000, not exceeding Rs. 500.

19C. In suits on appeals withdrawn or compromised (a) before any defence is put in (b) before the settlement of issues but after defence is put in, or dismissed for default without a determination on the merits of the case before all the requisite pleadings have been filed in court, and in appeals from orders, rehearing on review, and other miscellaneous cases including proceedings in execution of decrees, fees shall be payable on the following scale, namely:—

- (i) if the amount or value of the claim shall not exceed Rs. 5,000  $1\frac{1}{2}$  per cent.; provided that the fee shall not be less than five rupees in any case other than a proceeding in execution;
- (ii) if the amount or value shall exceed Rs. 5,000 and shall not exceed Rs. 20,000 on Rs. 5,000 as above and on the remainder,  $\frac{1}{2}$  per cent.;
- (iii) if the amount or value shall exceed Rs. 20,000 and shall not exceed Rs. 50,000 on Rs. 20,000 as above and on the remainder,  $\frac{1}{4}$  per cent.;
- (iv) if the amount or value shall exceed Rs. 50,000 and shall not exceed Rs. 80,000 on Rs. 50,000 as above and on the remainder,  $\frac{1}{8}$  per cent.;
- (v) if the amount or value shall exceed Rs. 80,000, Rs. 250;
- (vi) in applications for execution of decrees, the fees shall be calculated on the amount realised by the application.

19D. In all miscellaneous applications after decree which are decided on the merits after contest, except such as have been hereinbefore

specially provided for, a reasonable fee not in any case exceeding Rs. 20 in the court of the Resident or Rs. 10 in a court subordinate thereto shall be allowed.

19E. The words "the amount or value of the claim" in rules 19 and 19C mean the value as set forth in the plaint or memorandum of appeal and where court fees are payable *ad valorem* the value on which such court fees are paid.

19F. Fractions of a rupee in the amount or value of a claim shall be omitted in calculating the fee payable thereon.

19G. In cases in which the subject matter of the claim does not admit of valuation, the court shall fix a reasonable fee not less than five rupees, regard being had to the time occupied in the preparation and hearing of the case and the nature of the questions raised therein.

19H. If several defendants or respondents who have a joint or common interest, succeed upon a joint defence or upon separate defences substantially the same, not more than one fee shall be allowed, unless the court shall otherwise order for a reason which shall be recorded in the judgment. If only one fee be allowed, the court shall direct to which of the defendants or respondents it shall be paid or shall apportion it among the several defendants or respondents in such manner as the court shall think fit.

19I. If several defendants or respondents who have separate interests set up separate and distinct defences and succeed thereon, a fee for one legal practitioner for each of the defendants or respondents who shall appear by a separate legal practitioner may be allowed in respect of his separate interest such fee, if allowed, shall be calculated with reference to the value of the separate interest of such defendant or respondent in the manner hereinbefore prescribed.

19J. For each fee allowed under the two last preceding sections the value of the stamp on one vakalatnama only shall be awarded as costs.

19K. Except where an adjournment is made with the consent of all parties or where from insufficiency of notice, a party has not had reasonable time to prepare himself for trial, or where the adjournment is necessitated by a cause beyond the control of the party an adjournment should not be granted save on the condition that the party applying pays all the costs of the day including a reasonable fee not exceeding Rs. 10 to the legal practitioner engaged by his adversary.

19L. The fee allowed in the percentage scale for prosecuting or defending a suit is intended to cover all proceedings up to decree; and where a suit is remitted for rehearing and disposal or for a finding on issues, the proceedings on such order must be regarded as a further

proceeding in the trial of the suit and no further fee can be allowed in respect of such proceedings.

*Small Cause Courts.*

19M. In suits under the <sup>1</sup>Hyderabad Residency Small Cause Courts Law, 1904, where costs are awarded by the Court, the fees payable in respect of an adversary's advocate or pleader shall be as follows:—

(a) In suits not exceeding Rs. 100 in value Rs. 5.

(b) In suits exceeding Rs. 100 in value Rs. 5 on Rs. 100 and Rs. 3 on every hundred rupees or part thereof in excess of Rs. 100.

19N. Where an advocate or pleader is employed merely to obtain execution of a decree one rupee shall be allowed as costs for that purpose in claims below Rs. 100 and one rupee for every hundred rupees or part thereof in claims above that amount. No fee shall be allowed in case of a second or further application to obtain execution of the same decree.

20. *Suits to enforce agreements with client.*—Where a suit is brought to enforce an agreement between an advocate or pleader and his client with regard to the amount or manner of payment for the whole or any part of any services rendered, charges incurred or disbursements made in connection with legal business transacted by such advocate or pleader, the Court may, if it is of opinion that the agreement is not fair and reasonable, reduce the amount payable under it, or order the agreement to be cancelled, and the costs, charges, and disbursements aforesaid to be ascertained in the same manner as if no such agreement had been made.

21. *Agreements to bar further claims.*—An agreement between an advocate or pleader and his client shall bar any further claim on the part of the advocate or pleader beyond the terms of the agreement with respect to any services, fees, charges, or disbursements in connection with the conduct and completion of legal business in respect of which the agreement has been made, except such services, fees, charges, or disbursements (if any) as have been expressly excepted by the agreement.

22. *Saving.*—Any provision in an agreement between an advocate or pleader and his client to the effect that the advocate or pleader shall not be liable for negligence or that he shall be relieved from any responsibility to which he would otherwise be subject as such advocate or pleader shall be void.

CHAPTER VII.—PENALTIES.

23. *Unauthorized practice.*—If any person attempts to practise in the Court of the Resident or in any subordinate Court in contravention

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<sup>1</sup> Superseded now by Act IX of 1887 as applied by Notification No. 260-I., dated the 24th April, 1929. Printed, *supra*, p. 27.

of these rules, the Court shall refuse to hear him, and he shall be incapable of maintaining any suit for, or enforcing any lien with respect to, any fee or reward for, or with respect to, anything done or any disbursement made by him as an advocate or pleader while contravening these rules.

24. *Failure to surrender certificate.*—Whoever, being an advocate or pleader, fails to deliver up his certificate as required by rule 18 shall be liable by order of the Court to which the delivery should have been made to a fine not exceeding two hundred rupees, and in default of payment, to simple imprisonment for a term not exceeding three months.

25. *Practice after suspension, etc.*—Every advocate or pleader who has been suspended from practice, or whose certificate has been cancelled under these rules, and who practises during such suspension or after such cancellation, shall be deemed to have committed an offence under section 228 of the Indian Penal Code as applied.

26. *Revision.*—Every order made under rules 23, 24 or 25 shall be subject to revision by the Resident.

27. *Power to frame and publish list of touts.*—(1) The Resident, the Sessions Judge, and any District Magistrate (each as regards his own Court and the Courts subordinate thereto) may frame and publish lists of persons proved to his satisfaction, by evidence of general repute or otherwise, habitually to act as touts and may from time to time alter or amend such list.

(2) No person's name shall be included in any such list until he has had an opportunity of showing cause against such inclusion.

(3) A copy of every such list shall be kept hung up in every Court to which the same relates.

(4) The Court or Judge may, by general or special order, exclude from the precincts of the Court any person whose name is included in any such list.

(5) Every person whose name is included in any such list shall be deemed to be proclaimed as a tout within the meaning of rule 14, clause (e).

28. *Rescission of notification and savings.*—The notification of the Government of India in the Foreign Department, No. 1315-I. B., dated the 19th May, 1899, is hereby rescinded so far as the areas mentioned above are concerned.

Provided that—

(a) every advocate admitted under the rules contained in the notification so rescinded and borne on the roll of the Court

of the Judicial Commissioner of Berar at the commencement of these rules shall be deemed to have been admitted under these rules; and

- (b) every pleader's certificate granted under the said rules and in force at the commencement of these rules shall be deemed to have been granted under these rules.

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### SCHEDULE.

#### FORM OF CERTIFICATE.

(*See rule 9.*)

In the Court of the Resident at Hyderabad.

*Dated* 19 .

*To*

In pursuance of the Hyderabad Residency Legal Practitioners Rules, 1904, you, , are hereby authorized to practise as a pleader in the Court of the Resident at Hyderabad, and in all Courts subordinate to that Court.

This certificate is subject to renewal as provided by the said rules.

[*Gazette of India*, 1904, Pt. I, p. 120.]

#### *Exemption of Kirpans.*

No. 326-G., dated the 4th April, 1918.—Printed, *supra*, page 57.

#### *Hyderabad Intoxicating Drugs Law, 1918.*

No. 3108-I, B., dated the 26th September, 1918.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to make the following Law to regulate the import, export, transport, sale, manufacture and possession of morphia drugs, coca, cocaine and cocaine substitute in the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction:—

1. *Short title and extent.*—(1) This law may be called the Hyderabad Intoxicating Drugs Law, 1918.

(2) It extends to the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad (hereinafter referred to as the Administered Areas).

2. *Definitions.*—In this law—

- (i) “ Approved practitioner ” means—
  - (a) any person registered as a medical practitioner under the Medical Act, 1858, and any Act of Parliament amending the same, or under any law for the registration of medical practitioners for the time being in force in any part of British India, or
  - (b) any person registered as a dentist under the Dentist’s Act, 1878, and any Act of Parliament amending the same, or
  - (c) any person possessed of qualifications which render him eligible for registration as a medical practitioner or dentist, as the case may be, under the Medical Act, 1858, the Dentist’s Act, 1878, and any Act of Parliament amending the same Acts, or under any law for the registration of medical practitioners or dentists for the time being in force in any part of British India, and approved by the District Magistrate for the purpose of this Law, or by the Collector for the purpose of corresponding rules for the time being in force in any part of British India,
  - (d) any other person engaged in medical or veterinary practice and approved by the Resident for the purpose of this Law or by the chief excise authority for the purpose of corresponding rules for the time being in force in any part of British India.
- (ii) “ Coca ” means the dried or green leaves of the coca plant (*Erythroxylum coca*), and includes the plant itself.
- (iii) “ Cocaine ” means the alkaloid obtained from the coca plant, and includes all preparations and admixtures thereof.
- (iv) “ Cocaine substitute ” means any such synthetic preparation as has a physiological action similar to that of cocaine.
- (v) “ District Magistrate ” means the person holding the office of District Magistrate under the Code of Criminal Procedure, 1898, as applied to the Administered Areas, and includes any officer specially authorised by the Resident to exercise throughout the Administered Areas or in any specified area therein all or any of the powers of a District Magistrate under this Law.
- (vi) “ Export ” means to take out of the Administered Areas.
- (vii) “ Import ” means to bring within the Administered Areas.
- (viii) “ Intoxicating drug ” means morphia drugs, coca, cocaine and cocaine substitutes.



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- (ix) "Licensed chemist" means a person who has obtained a license under this Law for the manufacture, possession and sale on prescription of morphia drugs, cocaine and cocaine substitutes, or any of them.
  - (x) "Licensed dealer" means a person who has obtained a license under this Law for the manufacture, possession and sale otherwise than on prescription of morphia drugs, cocaine or cocaine substitutes, or any of them.
  - (xi) "Morphia drugs" include all alkaloids of opium and their salts, and preparations containing any of these articles.
  - (xii) "Notification" means a notification in the *Hyderabad Residency Orders*.
  - (xiii) "Place" includes building, house, shop, tent, booth, enclosure, vessel, raft and vehicle.
  - (xiv) "Prescribed" means prescribed by rule under this Law.
  - (xv) "Prescription" means a prescription given only by an approved practitioner for the supply of morphia drugs, cocaine or cocaine substitutes to a patient, and signed and dated by the practitioner at the time of giving the prescription.
  - (xvi) "The Resident" means the Resident at Hyderabad.
  - (xvii) "Transport" means to remove from one place to another within the Administered Areas.

## *II.—Manufacture.*

3. *Manufacture*.—A licensed dealer or chemist may, subject to the conditions of his license, manufacture morphia drugs, cocaine and cocaine substitutes from opium or morphia drugs, cocaine or cocaine substitutes lawfully possessed by him.

4. A licensed chemist may, subject to the provisions of section 21, dispense morphia drugs, cocaine and cocaine substitutes on prescription.

## *III.—Possession.*

5. Any person may possess such quantity of morphia drugs, cocaine and cocaine substitutes as has been at one time dispensed and sold for his use in accordance with the provisions of sections 4 and 21 of this Law, or of corresponding rules having the force of law in any part of British India.

6. An approved practitioner may possess, for his use in his practice but not for sale, morphia drugs, cocaine and cocaine substitutes not exceeding in the aggregate 120 grains:

Provided that the District Magistrate may, by special order, authorise any such practitioner to possess as afore-said any larger quantity.

7. A person authorised in this behalf by the District Magistrate by an order made under section 23 may possess such quantity of morphia drugs, cocaine and cocaine substitutes in such manner as may be specified in such order.

8. A licensed dealer or licensed chemist may possess such quantity of morphia drugs, cocaine and cocaine substitutes in such manner as may be specified in his license.

9. A person to whom a pass has been granted under this Law for the import, export or transport of morphia drugs, cocaine and cocaine substitutes may possess such quantity of morphia drugs, cocaine and cocaine substitutes in such manner as may be specified in his pass.

#### *IV.—Import, transport and export.*

10. *Prohibition as to coca.*—No coca shall be imported, exported, transported, possessed or sold.

11. Any person may import, export and transport such morphia drugs, cocaine and cocaine substitutes as he may lawfully possess under section 5.

12. An approved practitioner may import, export and transport such morphia drugs, cocaine and cocaine substitutes as he may lawfully possess under section 6.

13. A person authorised in this behalf by the District Magistrate by an order made under section 23 may import such quantity of morphia drugs, cocaine and cocaine substitutes in such manner as may be specified in such order, on an indent countersigned by a Chief Medical Officer or Civil Surgeon or Superintendent of the Civil Veterinary Department.

14. A person to whom a pass has been granted under this Law for the import of morphia drugs, cocaine and cocaine substitutes may import such quantity of morphia drugs, cocaine and cocaine substitutes in such manner as may be specified in his pass.

15. When a pass has been granted (a) under the rules for the time being in force in any part of British India, or (b) by the Resident or Political Agent in any Native State or foreign territory to bring morphia drugs, cocaine and cocaine substitutes from the Administered Areas into such part, State or territory, and when such pass has been countersigned by the District Magistrate, a licensed dealer may, subject to the conditions of his license, export such quantity of morphia drugs, cocaine and cocaine substitutes in such manner, within such period and by such route as may be specified in such pass.

An indent for morphia drugs, cocaine and cocaine substitutes countersigned by a Chief Medical Officer or Civil Surgeon or Superintendent of the Civil Veterinary Department shall for the purposes of this rule be deemed to be a pass, and shall not require further countersignature.

16 A person authorised in this behalf by the Resident by a special order made under section 24 may export such quantity of morphia drugs, cocaine and cocaine substitutes in such manner as may be specified in such order.

17. A person to whom a pass has been granted under this Law for the transport of morphia drugs, cocaine and cocaine substitutes may transport such quantity of morphia drugs, cocaine and cocaine substitutes in such manner as may be specified in his pass.

18. Every person importing, exporting or transporting morphia, cocaine and cocaine substitutes shall comply with such general or special directions as may be given by the Resident.

19. Nothing in this law shall be deemed to permit—

(1) the import of morphia drugs, cocaine and cocaine substitutes—

(a) from any part of British India or other area in India in which the Governor General in Council exercises jurisdiction, unless the rules, if any, having the force of law in such part or area relating to the export of morphia drugs, cocaine and cocaine substitutes have been complied with,

(b) from any foreign territory, unless the duty leviable at the place of importation under any enactment for the time being in force, has been paid, and the pass has been endorsed by the Customs Collector,

<sup>1</sup>(2) \* \* \* \* \*

<sup>2</sup>[19-A. The import, export or transport of morphia drugs, cocaine and cocaine substitutes by inland post will be permitted subject to the following conditions:—

(1) only the parcel post shall be used;

(2) the parcels shall be insured;

(3) the parcels shall be covered by permits issued by the proper authorities in the province to which the parcels are addressed;

(4) the parcels shall be accompanied by a declaration stating the names of the consignee and consignor, the contents of the parcels in detail, the permit number and date covering the

<sup>1</sup> Omitted by Notification No. 177-I., dated the 21st April, 1926. *Gazette of India*, 1926, Pt. I, p. 496.

<sup>2</sup> Inserted by ditto.

transmission and the number of the license held by the consignee;

- (5) the consignee shall show distinctly in his account books the name of the consignor and the quantity and nature of drugs sent to him from time to time by post.]

#### V.—*Sale.*

20. A licensed dealer may, subject to the conditions of his license, sell, otherwise than on prescription,—

- (a) to a dealer or chemist licensed under this Law or under the rules having the force of law in any part of British India,
- (b) to an approved practitioner,
- (c) to a person authorised under section 23 of this Law or under any corresponding rule for the time being in force as aforesaid,

morphia drugs, cocaine and cocaine substitutes not exceeding the quantity which such dealer, chemist, practitioner or person may lawfully possess. He shall maintain a written record of every such sale in such manner as the Resident may direct.

21. A licensed chemist may sell morphia drugs, cocaine and cocaine substitutes on prescription, subject to the following conditions, namely:—

- (a) He shall sell morphia drugs, cocaine and cocaine substitutes in such quantity and for the use of such person only as may be specified in the prescription.
- (b) If the prescription does not bear a superscription by an approved practitioner stating that it is to be repeated, and at what interval of time it is to be repeated, and how many times it is to be repeated, he shall sell morphia drugs, cocaine and cocaine substitutes once only on such prescription, and shall retain the prescription; provided that he shall first warn the person presenting the prescription that unless it bears such a superscription as aforesaid it will be retained.
- (c) If the prescription bears a superscription as aforesaid, he shall enter on the prescription the date of sale and shall sign or seal the prescription; provided that if it appears that morphia drugs, cocaine and cocaine substitutes have already been sold on the prescription six times, or such number of times as the prescription is required to be repeated, or that the interval specified in the superscription has not elapsed

since the prescription was last dispensed, he shall not sell morphia drugs, cocaine and cocaine substitutes on such prescription unless it is further superscribed in that behalf by an approved practitioner.

(d) Any other conditions that may be contained in his license.

He shall maintain a written record of every such sale in such form as the Resident may prescribe, including the name and address of the person to whom drugs are issued on a prescription and the name of the medical practitioner on whose prescription they are issued.

*VI.—Approval, authorisation, licenses and passes.*

22. (1) The Resident may approve, for the purposes of section 2 (i) of this Law any person engaged in medical or veterinary practice.

(2) The District Magistrate may in like manner approve any person possessed of the qualifications specified in section 2 (i) (c).

23. The District Magistrate may, with the sanction of the Resident, by general or special order authorise any approved practitioner in managing or supervising charge of a hospital or dispensary to possess, import and transport such quantity of morphia drugs, cocaine and cocaine substitutes in such manner as may be specified in such order.

24. The Resident may by special order authorise any person to export morphia drugs, cocaine and cocaine substitutes.

25. (1) An officer empowered in this behalf by the Resident may grant to any person a dealer's license, permitting him to manufacture, possess and subject to the provisions of section 20, sell morphia drugs, cocaine and cocaine substitutes.

(2) An officer empowered in this behalf by the Resident may grant to any person a chemist's license, permitting him to manufacture, possess and, subject to the provisions of section 21, sell morphia drugs, cocaine and cocaine substitutes; provided that such license shall not authorise such chemist to possess a greater quantity than four ounces of morphia drugs, cocaine or cocaine substitutes.

26. The Resident or such other officer as the Resident may empower in this behalf, may grant to any licensed dealer or licensed chemist a pass for the import of morphia drugs, cocaine and cocaine substitutes not exceeding the quantity which such dealer or chemist may lawfully possess.

27. (1) When a pass has been granted (a) under the rules for the time being in force in any part of British India, or (b) by the Resident or Political Agent in any Native State or foreign territory to any person to bring morphia drugs, cocaine and cocaine substitutes from the Adminis-

tered Areas into such part, State or territory, such person shall present such pass to the District Magistrate, who shall enter therein the period for which the pass is to remain in force and the route by which and the person (if any) in whose charge the consignment is to be conveyed and the number and description of the packages, and shall countersign the pass.

(2) When a pass has been granted to any person under this Law for the import of morphia drugs, cocaine and cocaine substitutes from foreign territories, such person shall present such pass to the Customs Collector or District Magistrate at the place of import, who shall enter therein the particulars specified in sub-section (1) and shall countersign the pass.

28. The Resident or such other officer as the Resident may empower in this behalf may grant to any licensed dealer or licensed chemist a pass for the transport of morphia drugs, cocaine and cocaine substitutes not exceeding the quantity which such dealer or chemist may lawfully possess.

29. Subject to the provisions of this Law every license or pass under this Law shall be in such form and shall contain such particulars, and shall be granted by such officer, on payment of such fees, for such period, and subject to such conditions, as the Resident may direct.

30. (1) Subject to any directions that the Resident may give in this behalf, the officer who has granted a license to, or has by order approved or authorised any person under this Law, may cancel or suspend such license or order,

- (i) if such person has,
  - (a) failed to pay any duty or fee payable by him,
  - (b) by himself or by any servant or person acting on his behalf committed any breach of the conditions of such license or order or of this Law,
  - (c) been convicted of any offence under this Law, or under the Law for the time being in force relating to excise revenue, or of any criminal offence,
- (ii) if it is a condition of such license or order that it may be cancelled or suspended at the will of such officer,
- (iii) in any other case after giving to such person fifteen days' notice,

and shall cancel such license or order within fifteen days on receiving from such person notice that he desires to surrender the same.

(2) When such license or order has been cancelled or suspended as aforesaid, such person shall forthwith make over to the District Magistrate all morphia drugs, cocaine and cocaine substitutes in his possession.

*VII.—Disposal of morphia drugs, cocaine and cocaine substitutes and confiscated articles.*

31. The District Magistrate shall cause all morphia drugs, cocaine and cocaine substitutes confiscated under this Law or delivered to him under section 30 to be examined by the Chemical Examiner or by such other officer as the Resident may direct. If any such morphia drugs, cocaine and cocaine substitutes are certified by such officer to be fit for use the District Magistrate may sell them to any dealer or chemist licensed under this Law or under any rules having the force of law in any part of British India or to any person authorised by an order under section 23 or any corresponding rules in force as aforesaid. The District Magistrate may require any licensed dealer or chemist to purchase at such price as the District Magistrate may direct any quantity of such morphia drugs, cocaine and cocaine substitutes not exceeding such quantity as the District Magistrate may determine to be ordinarily saleable by him in two months. If any such morphia drugs, cocaine and cocaine substitutes are certified as aforesaid to be unfit for use, the District Magistrate shall cause them to be destroyed.

32. The District Magistrate shall dispose of all other things confiscated in connection with any offence relating to morphia drugs, cocaine and cocaine substitutes in such manner as he may think fit.

*VIII.—Offences and procedure.*

33. *Major offences.*—Whoever, in contravention of this Law or of any rule made thereunder, manufactures, imports, exports, transports, possesses or sells any intoxicating drug, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

34. *Minor offences.*—Whoever breaks any condition of a license or permit granted under this Law, for the breach of which no other penalty is imposed, shall be punishable with fine which may extend to fifty rupees, and shall be liable to the forfeiture of his license or permit.

35. *Attempt, abetment and possession of illicit drug.*—Whoever attempts to commit any offence punishable under this Law, or abets the commission of any such offence, or receives or retains any intoxicating drug in respect of which he knows or has reason to believe that any such offence has been committed, shall be punishable with the punishment provided for such offence.

36. *Enhanced punishment after previous conviction.*—Whoever, having been previously convicted of an offence punishable under section 33, or under section 35 read with section 33, subsequently commits any

such offence, shall be liable to twice the punishment which might be imposed on a first conviction.

37. *Confiscation.*—Any intoxicating drug in respect of which any offence punishable under section 33 has been committed, shall be liable to confiscation, whether the accused is, or is not, convicted.

38. *Arrest and seizure without warrant.*—Any officer of police, subject to the prescribed restrictions, may—

- (a) seize and detain any intoxicating drug which he has reason to believe to be liable to confiscation under this Law; and
- (b) detain and search, and, if he thinks proper, arrest any person whom he has reason to believe to have committed an offence under section 33, or under section 35 read with section 33.

39. *Warrants of arrest and search.*—(1) Whenever a Magistrate has reason to believe—

- (a) that any person has committed an offence under section 33, or under section 35 read with section 33, or
- (b) that any intoxicating drug in respect of which such an offence is being, or is likely to be committed, is kept or sold in any place,

such Magistrate may issue a warrant for the arrest of such person, or for the search of such place by day or by night.

(2) A Magistrate issuing a warrant for the arrest of any person under this section may by endorsement on the warrant, direct that, if such person executes a bond with sufficient sureties for his attendance before the Magistrate, the person to whom the warrant is directed shall take such security, and shall release the person arrested from custody; and the person executing such warrant shall in such a case give effect to such direction.

(3) The person executing a warrant under this section may exercise any or all of the powers specified in section 38, and shall forward anything seized and, subject to the provisions of sub-section (2), any person arrested, to the Magistrate by whom such warrant was issued.

*Search without warrant.*—Whenever a police officer, not below the rank of Head Constable has reason to believe that any intoxicating drug in respect of which an offence under section 33, or under section 35 read with section 33, has been, is being, or is likely to be committed, is kept or concealed in any place, and that a search warrant cannot be obtained without affording the offender an opportunity of escape or of concealing evidence of the offence, he may, after recording the grounds of his belief, enter and search such place by day or by night, and may exercise therein all or any of the powers specified in section 38.



V of 1898.

41. *Application of Criminal Procedure Code.*—Save as in this Law otherwise expressly provided, the provisions of the Code of Criminal Procedure, 1898, relating to searches, arrest and warrant shall apply, so far as may be, to all searches and arrests made, and warrants issued, under this Law.

42. *Procedure after arrest or seizure.*—(1) Whenever any officer makes an arrest or seizure under section 38 or section 40 he shall, without delay, take or send any person arrested or thing seized to the officer in charge of the nearest police-station, together with the report of the particulars of such seizure or arrest.

(2) An officer in charge of a police-station, to whom any person arrested or thing seized is made over, shall forthwith forward such person or thing to a Magistrate having jurisdiction, unless he considers further inquiry necessary, in which case he shall proceed in accordance with the provisions of Chapter XIV of the Code of Criminal Procedure, 1898:

Provided that such officer may, instead of forwarding a person arrested to the Magistrate, take a bond with such sureties as he may think sufficient, for the attendance of such person before the Magistrate on a date to be specified; and in such a case, he shall forward the bond taken to the Magistrate.

43. *Forfeiture of bonds.*—The provisions of the Code of Criminal Procedure, 1898, as to the forfeiture of bonds shall, so far as may be, apply to bonds taken under the provisions of this Law.

44. *Exemptions.*—(1) Nothing in this Law shall apply to—

- (a) the import, export, transport, possession, manufacture, or sale of intoxicating drugs on behalf of the British Government or the Government of His Exalted Highness the Nizam, or
- (b) intoxicating drugs in transit to or from British India in accordance with the law of British India.

(2) Subject to the provisions of sub-section (1), the Resident may, with the previous sanction of the Governor General in Council, by notification, either wholly or partially, and subject to such conditions, if any, as he may think fit, exempt any medicinal preparations containing intoxicating drugs, or any class of such preparations, from all or any of the provisions of this Law.

45. *Rules.*—The Resident may, by notification, make rules for all or any of the following purposes, namely:—

- (1) to provide for the registration of sales and for the endorsement of sales on prescriptions;
- (2) to determine the authority by which, the form in which, and the terms and conditions on and subject to which, any

license or permit may be granted; and may, by such rules, among other matters:—

- (a) fix the period of validity of such license or permit;
- (b) fix the fee, if any, payable for such license or permit, and the time, place and manner of payment of such fee; and
- (c) provide for the production of such license or permit on the demand of any officer empowered in this behalf;
- (3) to regulate the disposal of things confiscated or seized as liable to confiscation under this Law;
- (4) to regulate the powers and duties of officers under this Law; and
- (5) generally to carry out the provisions of this Law.

46. *Repeal.*—(1) The Hyderabad Intoxicating Drugs Law, 1915, is hereby repealed.

(2) The provisions of sections 6 and 24 of the General Clauses Act, 1897, shall apply for the interpretation of sub-section (1).

X of 1897,

[*Gazette of India*, 1918, Pt. I, p. 1521.]

*Rules for the exclusion of undesirable persons.*

No. 496-I., dated the 3rd November, 1926.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to make the following rules for the exclusion of undesirable persons from the Administered Areas in the Hyderabad State:—

*Rules.*

Whenever the Resident at Hyderabad deems it expedient to exclude any person from the Administered Areas in the Hyderabad State (hereinafter called the Administered Areas) whether with or without assigning any reason therefor, he shall send, or cause to be sent, to the District and the District Magistrate shall cause a copy of such order to be served Magistrate for the Administered Areas an order in writing to that effect, on such person, and shall issue with such copy a notice in writing directing him to remove from the Administered Areas within a period to be specified in the notice and prohibiting him from re-entering them without the written permission of the Secretary to the Resident.

Provided that no such order shall be made if the only reason for making it is that such person—

- (i) is disorderly, or
- (ii) has been convicted of any offence against Chapter XVII of the Indian Penal Code, or

(iii) has been ordered under the Code of Criminal Procedure, 1898, to execute a bond for his good behaviour.

2. When any person has under rule 1 been directed to remove from the Administered Areas and has not obtained the written permission mentioned in that rule to re-enter them, no person who has knowledge of those facts shall harbour or conceal him in the Administered Areas.

3. (a) Whoever having under rule 1 been directed to remove from and prohibited from re-entering the Administered Areas fails to remove therefrom within the specified period or re-enters therein without the written permission of the Secretary to the Resident, or

(b) Commits a breach of rule 2,

shall be liable to be arrested on a warrant issued by the District Magistrate and shall be punishable with fine which may extend to fifty rupees or with imprisonment of either description which may extend to eight days.

In addition the Magistrate trying any case under this rule may direct that any person ordered to pay any fine or to undergo any sentence of imprisonment under this rule shall after payment of the fine or undergoing the sentence of imprisonment be removed from the Administered Areas by the police and any such person who, having been so removed, shall re-enter the Administered Areas without the written permission of the Secretary to the Resident shall be deemed to have contravened the provisions of rule 1.

4. Any member of the Police force employed in the Administered Areas may arrest without warrant any person committing or charged with having committed an offence punishable under clause (a) or clause (b) of rule 3.

Provided as follows:—

- (i) No person shall be so arrested whose name and address are known to the arresting officer.
- (ii) No person shall be so arrested who consents to give his name and address unless there is reasonable ground for doubting the accuracy of the name or address so given, the burden of proof of which shall be on the arresting officer.
- (iii) No person so arrested shall be detained after his name and address have been ascertained.
- (iv) No person so arrested shall, except under the orders of the District Magistrate, be detained longer than may be necessary for bringing him before a Magistrate.

[*Gazette of India*, 1926, Pt. I, p. 1172.]

## VII.—Orders relating to Courts.

### CRIMINAL.

*Execution of capital sentences in British India.* . .

No. 1431-I., dated the 27th April, 1893.—Printed in Appendix XIX.

*Criminal law and procedure of British India applicable to British subjects in Indian States.*

No. 1863-I. A., dated the 13th May, 1904.—Printed in Appendix IV.

*High Court at Bombay to exercise jurisdiction over European British subjects.*

No. 580-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace to commit for trial to the High Court having jurisdiction.*

No. 582-D., dated the 26th January, 1917.—Printed in Appendix IV.

*Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests.*

No. 319-D., dated the 16th January, 1917.—Printed in Appendix IV.

*Appointment of Justices of the Peace.*

No. 1905-I., dated the 28th May, 1884.

No. 1269-I., dated the 23rd April, 1885.

No. 1147-I., dated the 22nd March, 1888.

—Printed, *supra*, pages 13 and 14.

*First Assistant Resident<sup>1</sup> empowered to refer and transfer cases to Justices of the Peace.*

No. 3089-I., dated the 18th September, 1890.—Printed, *supra*, page 15.

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<sup>1</sup> Now designated Secretary to the Resident.

*Constitution of Criminal Courts High Court.*

No. 583-I. B., dated the 22nd March, 1913.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to direct, in supersession of all previous provisions to that effect, that for the purposes of criminal jurisdiction within the Administered Areas in the Hyderabad State, namely—

the Cantonments of Secunderabad and Aurangabad,  
the Hyderabad Residency Bazars, and  
the lands occupied by—

His Highness the Nizam's Guaranteed State Railway,  
the Hingoli Branch Railway,  
the Hyderabad-Godavari Valley Railway,  
the South-East main line of the Great Indian Peninsula  
Railway, the broad gauge North-West main line of the  
Madras and Southern Maratha Railway, and

<sup>1</sup>[Secunderabad-Gadwal and Gadwal-Hyderabad Frontier near  
Kurnool sections of the Secunderabad-Gadag Railway  
and the Kazipet-Balharshah Railway,]

<sup>2</sup>[the Court of] the Resident at Hyderabad shall exercise the powers of a High Court as defined in the Code of Criminal Procedure, 1898, as applied to the said Areas, except in proceedings against European British subjects or persons jointly charged with European British subjects.

<sup>3</sup>[2. The Court of the Resident at Hyderabad shall consist of the Resident at Hyderabad and of such Additional Judge, if any, as may have been for the time being appointed by the Governor General in Council in this behalf. When such Additional Judge has been so appointed, the Resident shall arrange for the distribution of the business of the said Court between himself and such Additional Judge.]

[*Gazette of India*, 1913, Pt. I, p. 321.]

*Appointment of Additional Judge of the Court of the Resident.*

No. 53-I., dated the 22nd January, 1924.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in pursuance of the notifications of the Government of India in the Foreign Department, No. 532-I. B.,<sup>3</sup> dated the 4th February, 1904, and No. 583-I. B.,<sup>4</sup>

<sup>1</sup> Substituted by notification No. 31-I., dated the 4th January, 1928. *Gazette of India*, 1928, Pt. I, p. 3.

<sup>2</sup> Inserted by notification No. 52-I., dated the 22nd January, 1924. *Gazette of India*, 1924, Pt. I, p. 82.

<sup>3</sup> Superseded by notification No. 603-I., dated the 21st December, 1925, printed *infra*, page 157.

<sup>4</sup> Printed immediately above.

dated the 22nd March 1913, the Governor General in Council is pleased to appoint the District and Sessions Judge for the time being of Guntur in the Madras Presidency to be an Additional Judge of the Court of the Resident at Hyderabad.

[*Gazette of India*, 1924, Pt. I, p. 82.]

*Court of Sessions and District Magistrate.\**

No. 9-J., dated the 4th February, 1925.—In exercise of the powers conferred by sections 7, 9 and 10 respectively, of the Code of Criminal Procedure, 1898 (Act V of 1898), as applied to the Administered Areas in the Hyderabad State and in supersession of the *Residency Orders* Notification No. 30-J., dated the 9th April, 1913, the Resident is pleased

(1) to direct that the areas mentioned in the first column of the schedule hereto annexed shall be a sessions division, and shall also be a district for the purposes of the said code;

(2) to establish a Court of Session for the said sessions division and to appoint as judge of such Court the officer named in the third column of the said schedule; and

(3) to appoint the officer named in the second column of the said schedule to be a Magistrate of the First Class and District Magistrate for the district comprising the areas mentioned in the first column.

SCHEDULE.

Administered Areas.	District Magistrate.	Sessions Judge.
1	2	3
1. The Cantonment of Secunderabad	The Under Secretary to the Resident at Hyderabad.	The Secretary to the Resident at Hyderabad.
2. The Cantonment of Aurangabad.		
3. The Hyderabad Residency Bazar.		
4. The lands occupied by		
(a) His Exalted Highness the Nizam's Guaranteed State Railway.		
(b) The Hyderabad Godavari Valley Railway.		
(c) The Hingoli Branch Railway.		
(d) The South-East main line of the Great Indian Peninsula Railway.		
(e) The broad gauge North-West main line of the Madras and Southern Maratha Railway.		
(f) Secunderabad-Gadwal and Gadwal-Hyderabad Frontier near Kurnool sections of the Secunderabad-Gadag Railway.]		
[(g) The Kazipet-Balharshah Railway.]		

[*Hyderabad Residency Orders*, Extraordinary, February 6th, 1925.]

\* Other Magisterial appointments, except those noted *infra*, are made by personal notifications.

<sup>1</sup> Substituted and added by notification No. 8-J., dated the 6th February, 1928. *Hyderabad Residency Orders*, 1928, Pt. I, p. 18.

*Magistrate of the First Class for Aurangabad.*

No. 80-J., dated the 15th August, 1928.—In exercise of the powers conferred on him by Section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), as applied to the Cantonment of Aurangabad, the Resident is pleased to confer on the Judicial Officer, Aurangabad, for the time being, powers of a Magistrate of the First Class within the said Cantonment and under Section 37 of the Code to direct that the said Officer shall in addition to his ordinary powers, exercise all the powers which are conferable on a Magistrate of the First Class by the Local Government and which are mentioned in Schedule IV of the Code (except power to hear appeals).

[Hyderabad Residency Orders, 1928, Pt. I, p. 121.]

*Magistrate of the first class for all railway lands.*

No. 84-J., dated the 17th October, 1907.—In exercise of the powers conferred on him by section 12 of the Code of Criminal Procedure, 1898 (V of 1898), as applied to the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* the Resident is pleased to appoint the officer for the time being holding the office of <sup>1</sup>Second Assistant Resident and Superintendent of the Residency Bazaars to be a Magistrate of the first class within the said lands.

[Hyderabad Residency Orders, 1907, Pt. I, p. 169.]

*Additional Magistrate of the first class for the Hyderabad-Godavari Valley Railway and the Hingoli Branch Railway.*

No. 81-J., dated the 15th August, 1928.—In exercise of the powers conferred on him by section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), as applied to the Railway lands in the Hyderabad State, the Resident is pleased to appoint the Judicial Officer, Aurangabad, for the time being to be a Magistrate of the First Class within the said lands, and to declare that his jurisdiction shall extend only to the lands occupied by the Hyderabad-Godavari Valley Railway and the Hingoli Branch Railway.

Under Section 37 of the Code of Criminal Procedure, the Resident is further pleased to direct that the said officer shall in addition to his ordinary powers, exercise all the powers which are conferable on a Magistrate of the First Class by the Local Government, and which are mentioned in Schedule IV of the Code (except power to hear appeals).

[Hyderabad Residency Orders, 1928, Pt. I, p. 121.]

*Additional powers of Magistrates in all Administered Areas.*

No. 336, dated the 17th October, 1898.—In exercise of the \* \* powers vested in him by section 27 of the Code of Criminal Procedure,

<sup>1</sup> Now designated Under Secretary to the Resident.

Act V of 1898, as applied to \* \* \* the Hyderabad Residency Bazzars, the Cantonment of Secunderabad, the Hyderabad Contingent stations of Aurangabad, Bolarum, \* \* \* and the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* \* the Resident is pleased to issue the following orders:—

I. All Magistrates of the first class, now standing appointed or who may hereafter be appointed are hereby invested with the following additional powers as enumerated in schedule IV of Act V of 1898:—

- (2) Power to require security for good behaviour, section 110.
- (3) Power to make orders as to local nuisances, section 133.
- (4) Power to make orders prohibiting repetitions of nuisances, section 143.
- (5) Power to make orders under section 144.
- (6) Power to hold inquests, section 174.
- (7) Power to issue process against a person within local jurisdiction who has committed an offence outside the local jurisdiction, section 186.
- (8) Power to take cognizance of offences upon complaint, section 190.
- (9) Power to take cognizance of offences upon police reports, section 190.
- (10) Power to take cognizance of offences without complaint, section 190.
- (13) Power to sell property alleged or suspected to have been stolen, etc., section 524.
- (14) Power to order released convicts to notify residence, section 565.

II. All Magistrates of the second class (now standing appointed or who may hereafter be appointed) are hereby invested with the following powers:—

- (2) Power to make orders prohibiting repetitions of nuisances, section 143.
- (3) Power to make orders under section 144.
- (4) Power to hold inquests, section 174.
- (5) Power to take cognizance of offences upon complaints, section 190.
- (6) Power to take cognizance of offences upon police reports, section 190.



III. All Magistrates of the third class (now standing appointed or who may hereafter be appointed) are hereby invested with the following powers:—

(3) Power to hold inquests, section 174.

(4) Power to take cognizance of offences upon complaint, section 190.

(5) Power to take cognizance of offences upon police reports section 190.

These powers will be exercised subject to the general control of the District Magistrate.

[*Hyderabad Residency Orders*, 1898, Pt. I, p. 368.]

*Additional powers of Magistrates for Railways at Hyderabad and Aurangabad.*

No. 92-J., dated the 14th November, 1918.—In exercise of the power conferred on him by section 37 of the Code of Criminal Procedure, 1898 (Act V of 1898), as applied to the railway lands in the territories of His Exalted Highness the Nizam of Hyderabad, which are administered by the Resident at Hyderabad, the Resident is pleased to invest the First Class Magistrates for Railways at Hyderabad and Aurangabad for the time being, with the following additional power specified in the fourth schedule:—

Power to try in a summary way all the offences mentioned or referred to in section 260 of the Code of Criminal Procedure.

[*Hyderabad Residency Orders*, 1918, Pt. I, p. 355.]

*Benches of Honorary Magistrates.*

No. 117-J., dated the 23rd December, 1925.—In exercise of the powers conferred by sections 14, 15 and 16 of the Code of Criminal Procedure, 1898 (Act V of 1898), as applied to the Administered Areas in the Hyderabad State, and in supersession of the *Residency Orders* Notification No. 73-J., dated the 1st December 1923, the Resident is pleased to issue the following orders regarding Benches of Honorary Magistrates in the said areas:—

1. Two or more Special Magistrates appointed for any local area may sit together as a Bench and the Bench is hereby invested with the powers of a Magistrate of the Third Class or such higher powers as are exercisable under the provisions of sub-section (2) of section 15, or in virtue of orders made by the Resident under sub-section (1) of section 15 of the Code of Criminal Procedure, 1898; and shall try such cases of the classes detailed below as may be made over to it by the District Magistrate, arising within its local limits, namely,

(1) to try offences under the Indian Penal Code, sections 277, 278, 279, 285, 286, 289, 290, 323, 341, 352, 426 and 447;

(2) to try such offences under (a) the Cantonments Act, 1924 (II of 1924), and Rules and Bye-laws framed thereunder, (b) the Regulation for the better administration of the Hyderabad Residency Bazars, 1895, and (c) the conservancy clauses of the Police Act of 1861 as locally applied, as are punishable only with fine or with imprisonment for a term not exceeding one month;

(3) to try abetments of any of the foregoing offences;

(4) to try attempts to commit any of the foregoing offences, when such attempts are offences;

(5) to try, in accordance with Chapter XX of the Code of Criminal Procedure, 1898, offences punishable under the Hackney Carriage Act, 1879.

(i) Provided that no Bench of Magistrates shall try offences under sections 426 and 447, Indian Penal Code, including abetments of, and attempts to commit, such offences, except with the special sanction of the Resident.

<sup>1</sup>[(ii) Provided also that when any bench is invested with powers of a Magistrate of the First Class, it shall be competent for such Bench to try any of the offences mentioned in Clauses (1) to (4) of Rule 1 by Summary Procedure and also to try under the regular procedure such cases as may be made over to it by the District Magistrate from time to time, involving the following offences:—

(a) Offences not punishable with death, transportation or imprisonment for a term exceeding six months.

(b) Rioting under Section 147, Indian Penal Code.

(c) Hurt under Section 323, Indian Penal Code.

(d) Theft under Sections 379, 380 or 381, Indian Penal Code, where the value of the property stolen does not exceed fifty Rupees.

(e) Dishonest misappropriation of property under Section 403 of the same code where the value of the property misappropriated does not exceed fifty Rupees.

(f) Criminal Breach of Trust under Section 406 of the same code where the value of the property involved does not exceed fifty Rupees.

(g) Receiving or retaining stolen property under Section 411 of the same code where the value of such property does not exceed fifty Rupees.

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<sup>1</sup> Added by notification No. 82-J., dated the 11th October 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 175.

- (h) Assisting in the concealment or disposal of stolen property under Section 414 of the same code where the value of such property does not exceed fifty Rupees.
- (i) Cheating under Section 417 of the same code where the value of the property does not exceed fifty Rupees.
- (j) Mischief under Section 427 of the same code.
- (k) Mischief in respect of an animal under Section 428 of the same code.
- (l) House trespass under Section 448 of the same code].

2. One of the magistrates constituting the Bench who shall be specially designated by the District Magistrate shall be the Chairman of such Bench.

3. Differences of opinion shall be settled by the votes of the majority of the magistrates present, the Chairman having the casting vote.

Provided that in regard to the finding when the number of magistrates is even and they are equally divided in their opinion the accused shall get the benefit of the doubt.

4. If any person charged with any of the offences specified above is arrested without warrant and has not been released on bail, he shall be produced before a salaried magistrate having jurisdiction. If such magistrate decides to release the person accused on bail, the bail bond or the process shall require him to appear in accordance with its terms before Bench of Magistrate having jurisdiction. If the accused person is not released on bail, the salaried magistrate shall proceed to the trial of the complaint. The District Magistrate shall exercise the same powers in regard to withdrawal or reference of cases from Benches as he possesses in the case of magistrates under section 528 of the Code of Criminal Procedure.

5. No member of a Bench shall preside or give such vote as is referred to in rule 3 who has been absent during any part of the proceedings therein.

6. The Resident is pleased to direct that the term of office of honorary magistrates shall be three years.

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 5.]

*English to be the language of the Courts.*

No. 17, dated the 8th March, 1900.—In exercise of the powers conferred on him by section 645 of the Code of Civil Procedure, 1882 (Act XIV of 1882) and section 558 of the Code of Criminal Procedure, 1898 (Act V of 1898) as applied to the Hyderabad Residency Bazars, the

<sup>1</sup> See now section 137 of the Code of Civil Procedure, 1908 (Act V of 1908) as applied *supra* p. 27.

Cantonment of Secunderabad, <sup>1</sup>[the Cantonment of Aurangabad], the Hyderabad Contingent stations of Bolarum \* \* and the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* the Resident is pleased to declare that English shall be the language of the Civil and Criminal Courts in the said areas.

[*Hyderabad Residency Orders*, 1900, Pt. I, p. 66.]

*Mode of inflicting whipping.*

No. 38, dated the 20th May, 1899.—In exercise of the power conferred upon him by section 392 of the Code of Criminal Procedure (Act V of 1898) as applied \* \* the Resident is pleased to direct that when a Court awards a sentence of whipping to an adult person of or over 16 years of age, the whipping shall be inflicted on the posteriors of the offender. In the case of juveniles under 16 years of age, the application shall also be to the posteriors, but with a light rattan and with no more severity, having regard to the age and strength of the juvenile to be punished, that would ordinarily be used in a school for a breach of school discipline.

[*Hyderabad Residency Orders*, 1899, Pt. I, p. 175.]

*Sentences of imprisonment not exceeding one day to be carried out in the Court-house.*

No. 73, dated the 29th November, 1901.—In exercise of the power conferred by section 541 clause (1) of the Code of Criminal Procedure, 1898 (Act V of 1898) as applied \* \* \* the Resident at Hyderabad is pleased to direct that persons sentenced to imprisonment for a period not exceeding one day shall be confined in the Court-house of the sentencing Magistrate.

[*Hyderabad Residency Orders*, 1901, Pt. I, p. 369.]

*Payment of expenses of complainants and witnesses in Criminal Courts.*

No. 178, dated the 22nd July, 1889.—The following rules for regulating the payment of the expenses of complainants and witnesses in criminal cases, sanctioned by the Governor General in Council in 1873 are hereby published for the information and guidance of the Criminal Courts under this Administration:—

Under the provisions of section 544 of the Code of Criminal Procedure the Governor General in Council has been pleased to pass and sanction the following rules for regulating the payment on the part of Government

<sup>1</sup> Incorporated here for facility of reference though actually provided for by a separate notification No. 38-J., dated the 13th June, 1906. *Hyderabad Residency Orders*, 1906, Pt. I, p. 71.

of the expenses of complainants and witnesses in cases coming before the Criminal Courts in the Hyderabad Assigned Districts.

2. The Criminal Courts are authorised to pay, at the rates specified below, the expenses of complainants or witnesses (1) in cases in which the prosecution is instituted or carried on by or under the orders or with the sanction of the Government, or any Judge, Magistrate, or any other public officer, or in which it shall appear to the presiding officer to be directly in furtherance of the interests of the public service; (2) in all cases entered in column 5 of the schedule appended to the Criminal Procedure Code as not bailable; (3) in all cases which are cognizable by the Police; and (4) of witnesses in all cases in which they are compelled by the Magistrate of his own motion to attend under the provisions of section 540 of the Code.

3. European and East Indian witnesses, when summoned by a Criminal Court to give evidence, are to be allowed their actual expenses for carriage when the same are not in excess of six annas a mile. They are also to be allowed a sum not exceeding Rupees 2-8-0 a day for subsistence if they demand the same.

4. As a general rule, native witnesses of the better class as Patels, Panderpeshas, merchants, vakils, and persons of corresponding rank, as well as all witnesses who are in no way concerned in the case in which their evidence is given, but whose evidence is required for furthering the ends of justice (such as attesting witnesses to depositions and inquest reports, provided they can read and write), are to be allowed six annas a day as subsistence money, and they are also to receive railway and other travelling expenses that have been actually incurred by them, provided the same be reasonable.

5. Native witnesses of the class of cultivators and menials who would not under ordinary circumstances voluntarily incur any expense on account of special lodging when away from home are to be allowed subsistence money at the rate of four annas a day, and are also to receive railway and other travelling expenses actually incurred by them, provided the same be reasonable.

6. Peculiar cases (that is cases not coming under the operation of Rules 4 and 5) are to be dealt with according to their own merits and at the discretion of the Court from which subsistence money or travelling allowance is demanded.

7. When a witness lives in the same town or village in which the Court before which he is required to give evidence is situated, the Court may award him such sum not exceeding four annas a day as may compensate him for any loss he may have incurred by attendance upon the Court.

8. The foregoing instructions cancel that portion of the Resident's Book Circular No. 1 of 1882 addressed to the Sessions Judge, Hyderabad;

Superintendent, Residency Bazars; Cantonment Magistrate, Sikandera-  
bad; and the Superintendent of His Highness the Nizam's State Railway,  
which relates to subsistence money and travelling allowances for witnesses  
summoned in criminal cases.

[*Hyderabad Residency Orders*, 1889, Pt. I, p. 142.]

*Inspection of judicial records.*

No. 39, dated the 9th June, 1899.—Printed *infra*, page 170.

*Procedure for obtaining copies of Judicial Records and fees for such  
records.*

No. 51-J., dated the 8th May, 1916<sup>1</sup>.—Not re-printed.

[*Hyderabad Residency Orders*, 1916, Pt. I, p. 71.]

*Reciprocal service of summonses to witnesses between Criminal Courts  
of the Hyderabad State and in the Administered Areas.*

<sup>2</sup>No. 47, dated the 29th June, 1905.—Printed *supra*, page 17.

*Reciprocal recovery of fines between Criminal Courts of the Hyderabad  
State and Criminal Courts in the Administered Areas in the Hydera-  
bad State.*

No. 4113-I. B., dated the 6th November, 1908.—Printed *supra*, p. 20.

*Reciprocal waiver of process fees between Courts of the Hyderabad State  
and Courts in the Administered Areas in the Hyderabad State.*

No. 47, dated the 29th June, 1905.—Printed *supra*, p. 21.

CIVIL.

*Arrangements for the exercise of civil jurisdiction.*

No. 603-I., dated the 21st December, 1925.—In exercise of the powers  
conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902,  
and of all other powers enabling him in that behalf, and in supersession  
of the Notification of the Government of India in the Foreign Depart-  
ment No. 532-I. B., dated the 4th February 1904, as subsequently  
amended, the Governor General in Council is pleased to make the follow-  
ing arrangements for the purposes of the exercise of civil jurisdiction  
within the Administered Areas in the Hyderabad State:—

(1) The Court of the Resident at Hyderabad shall exercise the powers  
of a High Court for all purposes whatsoever connected with the admini-

<sup>1</sup> For amendment to rule 10 of Section III, see notification No. 62-J., dated the  
24th July 1918. *Hyderabad Residency Orders*, 1918, Pt. I, p. 247.

<sup>2</sup> Rules (5), (6), (7), (9) and (10).

stration of civil justice within the said areas, and shall consist of the Resident at Hyderabad and of such Additional Judge, if any, as may have been for the time being appointed by the Governor General in Council in this behalf. When such Additional Judge has been so appointed, the Resident shall arrange for the distribution of the business of the said Court between himself and such Additional Judge.

(2) There shall be a District Court for the said areas which shall be deemed to be the principal Civil Court of original jurisdiction in all original suits or proceedings, whatever be the amount or value of the subject matter. The Court shall be presided over by the District and Additional Sessions Judge, who shall be appointed by the Resident. The District and Additional Sessions Judge shall, when exercising all or any of the powers of the District Court, be designated District Judge.

(3) In addition to the District Court there shall be:—

- (1) The Court of the District Munsif, Secunderabad, and
- (2) The Court of the Judicial Officer, Aurangabad.

The District Munsif and the Judicial Officer shall be appointed by the Resident.

The local limits of the Courts of the District Munsif and the Judicial Officer shall be such as the Resident may, by order in writing, from time to time prescribe.

The said Courts shall be competent to try original suits and proceedings of such value not exceeding five thousand rupees as the Resident may, by order in writing, fix.

(4) The Resident may, by order in writing, invest any person with all or any of the powers of the Court of the District Munsif, and may declare that the powers with which a person is so invested shall be exercised within any specified area or areas and with respect to any particular class or particular classes of cases, or with respect to cases generally, and that they shall be exercised in the area or areas specified with respect to those cases for a limited period only, and may at any time cancel or modify such order.

(5) A person when exercising powers conferred under the last preceding clause shall be designated Additional District Munsif.

(6) The Resident may, by order in writing, direct how business shall be distributed between the District Munsif and the Additional District Munsif.

(7) Subject to the provisions of the enactments for the time being in force in the aforesaid areas, appeals against original and appellate decrees and orders passed by the District Judge shall lie to the Court of the Resident.

(8) Subject to the provisions of the said enactments, appeals against original decrees and orders passed by the Courts of the District Munsif and the Judicial Officer and by the Additional District Munsif, shall lie to the District Court.

(9) Appeals against original decrees and orders passed before the date of this notification by the Civil Judge and the Joint Civil Judges appointed under the notification of the Government of India in the Foreign Department No. 532-I. B., dated the 4th February, 1904, shall lie to the District Court irrespective of the value of the subject matter of the suit or proceeding. All Civil appeals which may be pending on the date of this notification in the Court of the First Assistant Resident (Secretary to the Resident) shall be disposed of by the District Court.

(10) Second appeals in the cases mentioned in clause (9), when they are allowed by law, shall lie to the Court of the Resident.

(11) Appeals against the decrees and orders in original suits or proceedings instituted prior to the date on which this notification comes into force but decided on or after the said date shall be governed by the provisions of clauses (7) and (8) of this notification.

(12) The District Judge shall have the power to transfer to the Court of the District Munsif any suit or proceeding pending on the date of this notification on the file of the Court of the Civil Judge, Secunderabad, or of the Court of any Joint Civil Judge, provided that such suit or proceeding is within the limits of the pecuniary jurisdiction conferred upon the Court of the District Munsif under this notification.

[*Gazette of India*, 1925, Pt. I, p. 1217.]

*Appointment of Additional Judge of the Court of the Resident.*

No. 53-I., dated the 22nd January, 1924.—Printed *supra*, page 148.

*District Munsif, Secunderabad.*

No. 62-J., dated the 15th June, 1926.—In exercise of the power conferred on him by the Notification of the Government of India in the Foreign and Political Department No. 603-I.,<sup>1</sup> dated the 21st December 1925, the Resident is pleased to invest the District Munsif, Secunderabad, for the time being, with powers to try original civil suits of which the value does not exceed Rupees <sup>2</sup>[three thousand]; and to declare that the power shall be exercised within the limits of the Cantonment of Secunderabad, the Hyderabad Residency Bazars and the Railway lands in the Hyderabad State under the control of the Resident.

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 131.]

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<sup>1</sup> Printed *supra*, page 157.

<sup>2</sup> Substituted by notification No. 71-J., dated the 27th July, 1928. *Hyderabad Residency Orders*, 1928, Pt. I, p. 111.



*Judicial Officer, Aurangabad.*

No. 79-J., dated the 15th August, 1928.—In exercise of the power conferred on him by the Notification of the Government of India in the Foreign and Political Department No. 603-I.,<sup>1</sup> dated the 21st December 1925, the Resident is pleased to invest the Judicial Officer, Aurangabad, for the time being with power to try original suits of which the value does not exceed Rupees five thousand and to declare that the power shall be exercised by him within the limits of the Cantonment of Aurangabad.

[*Hyderabad Residency Orders*, 1928, Pt. I, p. 121.]

*Small Cause Court, Aurangabad.*

No. 119-J., dated the 17th December, 1926.

\* \* \* \* \*

Under section 5, sub-section (1) of the Provincial Small Cause Courts Act (IX of 1887) as applied to the Administered Areas in the Hyderabad State and as amended by Act IV of 1914, the Resident is pleased to establish with effect from 1st January, 1927, a court of Small Causes at Aurangabad and under section 5, sub-section (2) of the same Act to fix the local limits of the said court as the Cantonment of Aurangabad.

Under section 6, sub-section (1) of the same Act, the Resident is also pleased to appoint the Judicial Officer, Aurangabad, for the time being as the Judge of the Small Cause Court, Aurangabad, and invest him with power to try Small Cause Suits arising within the said area, the value of which does not exceed Rs. 300 (Rupees three hundred only).

*Residency Orders* Notification No. 21-J., dated the 26th March, 1924, shall be cancelled.

[*Hyderabad Residency Orders*, 1927, Pt. I, p. 1.]

*Appointment of Judge of Small Cause Court, Secunderabad.*

No. 122-J., dated the 29th December, 1925.—In exercise of the power conferred on him by section 6 of the Provincial Small Cause Courts Act, 1887 (IX of 1887), as applied to the Administered Areas in the Hyderabad State, the Resident is pleased to appoint the officer for the time being holding the office of the District and Additional Sessions Judge in the said areas, to be the Judge of the Court of Small Causes constituted in the Cantonment of Secunderabad.

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 7.]

*Additional Small Cause Court Judge, Secunderabad.*

*No. 63-J., dated the 15th June, 1926.*—In exercise of the power conferred on him by Section 8 of the Provincial Small Cause Courts Act, 1887 (IX of 1887), as applied to the Administered Areas in the Hyderabad State, the Resident is pleased to appoint the District Munsif, Secunderabad, for the time being, to be an Additional Judge of the Court of Small Causes constituted in the Cantonment of Secunderabad, and to direct that he shall take cognizance of all suits cognizable by the Court which arise within the Cantonment of Secunderabad, the Hyderabad Residency Bazars and the Railway lands in the Hyderabad State under the control of the Resident and the value of which does not exceed two hundred <sup>1</sup>[and fifty] rupees.

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 131.]

*Maintenance and custody of livestock and other moveable property under attachment by Civil Courts.*

<sup>2</sup>*No. 87, dated the 12th August, 1878*—The Resident is pleased, under <sup>3</sup>section 269, Act X of 1877, to make the following rules for the maintenance and custody, while under attachment, of livestock and other moveable property:—

*1.—Livestock.*

When application is made to any Court for the attachment of livestock the Court may demand in advance, at rates to be fixed by it half-yearly, or oftener if necessary (with the sanction of the District Court), the amount requisite for the maintenance of the livestock from the probable time of attachment to the probable time of sale; or may, at its discretion, make successive demands for portions of such period.

2. The above rates will include cost of feeding, tending and conveyance, and all other charges requisite for the maintenance and custody of the livestock.

3. The attached livestock may, after seizure, be placed, at the discretion of the Court, in the custody of the judgment-debtor, or of the decree-holder, or of some headman, herdsman or other respectable person who will undertake to keep and maintain the livestock, subject to the orders of the Court. Except cases in which herdsmen are employed, the Court shall have power to require competent security from the depository, to the extent of the value of the said livestock, for its production in good

<sup>1</sup> Inserted by notification No. 71-J., dated the 27th July, 1928. *Hyderabad Residency Orders*, 1928, Pt. I, p. 111.

<sup>2</sup> These rules were extended to the Hyderabad Residency Bazars, Bolarum and the Railway lands in the Administered Areas by notification No. 53, dated the 17th September, 1901. *Hyderabad Residency Orders*, 1901, Pt. I, p. 260.

<sup>3</sup> See now Section 128 (2) (b) of the Code of Civil Procedure, 1908 (Act V of 1908) as applied *supra*, p. 27.

condition when required. If the livestock be entrusted to any person other than the judgment-debtor, the amount or a part thereof paid by the decree-holder for the maintenance of the cattle, may, at the discretion of the Court, be delivered over to the custodian of the livestock to be used for their maintenance. The Court may at any time at its discretion, remove the cattle from the custody of any one person to that of any other person coming under the above descriptions.

4. The attaching officer shall, in every case, make a list and valuation of the attached livestock in the following form:—

Number of suit and names of parties.	Kind of livestock.	Colour distinguishing marks, and approximate age of livestock.	Condition and approximate value of livestock.	To whom livestock is entrusted, and what security taken.
1	2	3	4	5

And shall obtain thereto the acknowledgment of the person in whose custody the livestock are left, and if possible, of the parties to the suit and of one or two respectable inhabitants of the locality in attestation of the correctness of the list.

5. If the livestock be entrusted to any person other than the judgment-debtor, the produce, such as milk, eggs, etc., if any, may either be sold, as promptly as possible, for the benefit of the judgment-debtor, or may, at the discretion of the Court, be set off against the cost of maintenance of the said livestock.

## *II.—Heavy and bulky property.*

6. When an application is made for the attachment of heavy or bulky articles, the Court may demand in advance such sum as it may seem requisite for the purpose of conveying the said articles from the place of attachment to the court-house, or to such other place as the Court shall appoint for its storage. But the Court may direct that such articles, after seizure, shall be entrusted, on such terms as it may think fit, to the judgment-debtor, or to some respectable person who is willing to undertake the custody thereof, or to an officer of the Court, to be kept in such place of safety as it may direct.

7. The attaching officer shall prepare an inventory of such articles attached, and shall obtain thereto the acknowledgment of the person in

whose custody they are left, and, if possible, of the parties to the suit, and of one or two respectable inhabitants of the locality, in attestation of the correctness of the attachment list.

8. In determining whether such articles should be taken to the court-house, or should be deposited elsewhere, the probable cost of their carriage in proportion to their value should be taken into account.

*III.—Light and conveniently portable property.*

9. Light and conveniently portable articles of all kinds, and specially valuable property of small bulk, such as jewels, etc., shall, after seizure, be made over to an officer of the Court, to be kept in such place of safety as the court may direct.

[*Hyderabad Residency Orders*, 1878, Pt. I, p. 410.]

*Exemptions from personal appearance in Civil Courts.*

No. 76, dated the 2nd September, 1907.—In exercise of the power conferred by section<sup>1</sup> 641 of the Code of Civil Procedure, 1882 (XIV of 1882), as applied to the areas administered by him under the notification of the Government of India in the Foreign Department, No. 531-I. B., dated the 4th February 1904, the Resident is pleased to exempt the following officials and nobles of the Hyderabad State from personal appearance in the Civil Courts in the said areas:—

*Officials.*

1. The Minister to His Highness the Nizam.
2. The Departmental Ministers and Members of the Cabinet Council of His Highness the Nizam's Government.
3. The Staff Officials of His Highness the Nizam, viz.:—
  - (a) The Secretary to His Highness, and the Sarf-i-Khas Secretary.
  - (b) The Aides-de-Camp to His Highness.
  - (c) The Staff Surgeon to His Highness.
  - (d) The Physician to His Highness.

*Nobles.*

(Personal<sup>2</sup> list.—Not re-printed.)

[*Hyderabad Residency Orders*, 1907, Pt. I, p. 144.]

<sup>1</sup> See now section 138 of the Code of Civil Procedure, 1908 (Act V of 1908) as locally applied *supra*, p. 27.

<sup>2</sup> Amended by notification No. 13, dated the 2nd January, 1909. *Hyderabad Residency Orders*, 1909, Pt. I, p. 4.

*English to be the language of the Courts.*

*No. 17, dated the 8th March, 1900.—Printed supra, p. 154.*

*Payment of expenses of witnesses in Civil Courts.*

*No. 235, dated the 1st December, 1887.*—The Resident is pleased in supersession of all previous orders on this subject under section 160, Act XIV of 1882<sup>1</sup> to lay down the following scale of expenses for witnesses summoned to attend Civil Courts:—

*Class I.*—Rupees 5 per diem. All Covenanted and Commissioned officers of Government, Uncovenanted Officers holding appointments equal to or above the rank of Extra Assistant Commissioners, Europeans and Eurasians of the higher classes, and Natives of distinction.

*Class II.*—Rupees 3 per diem. Non-official Europeans or Eurasians of the middle class, the higher description of clerks in the public offices. Tahsildars, Inspectors of Police or officials of similar rank, and Native gentlemen of the higher classes not coming under class I.

*Class III.*—Rupee 1 per diem. Other Europeans and Eurasians, inferior clerks in public offices, ministerial employés in vernacular offices or departments, and natives of respectability generally, such as ex-pergunnah officers and Native bankers.

*Class IV.*—Four annas per diem. All Natives not included in the above classes.

2. All persons residing within six miles of the Court may be considered as able to come in and return on the same day, and shall therefore be held entitled to one day's subsistence allowance only. Those residing from six to twelve miles may come in one day and return the next; they shall therefore be entitled to two days' subsistence allowance, and so on. An extra day for every six miles, or, in other words, every witness shall receive a day's allowance for every twelve miles he has to travel. The necessary duration of journeys wholly or partly by rail will be decided by each Court.

The determination of the particular class to which a witness belongs is a question which should invariably be decided by the Court itself, and is not one that should be left for settlement between witnesses and parties.

[*Hyderabad Residency Orders, 1887, Pt. I, p. 157.*]

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<sup>1</sup> See now the Code of Civil Procedure, 1908 (Act V of 1908) as applied *supra*, p. 27.

*Rules relating to the admission of civil appeals to His Majesty's Privy Council.*

No. 58-J., dated the 11th August, 1905.—The following rules regulating the practice and proceedings of the Court of the Resident at Hyderabad in regard to the admission of appeals to His Majesty's Privy Council made by the Resident under section 612 of the Civil Procedure Code (Act XIV of 1882) as applied to the Hyderabad Residency Bazars, the Cantonment of Secunderabad (inclusive of the area hitherto known as the "Contingent Station" of Bolarum), the Cantonment (hitherto known as the "Contingent Station") of Aurangabad and the Railway Lands in the territories of His Highness the Nizam of Hyderabad (other than the Railway Lands in Berar and those referred to in the notifications of the Government of India, in the Foreign Department, No. 4564-I. B., dated the 18th November 1891, and No. 3244-I. B., dated the 26th August 1897), are hereby published for information in supersession of the rules published in the *Residency Orders*, notification No. 275, dated the 30th June 1899.

2. Copies of the orders of His Majesty's Council on the subject of submission of the records, printing of the records in India or elsewhere, amount of security, and other matters relating to the appeal are given as an appendix to these rules for convenience of reference.

*Rules relating to the admission of civil appeals to His Majesty's Privy Council.*

*Notices and their service.*—Notices issued under section 600 or section 603 of the Code of Civil Procedure, or under any other section of Chapter XLV of the said Code, shall be served under the rules in force for the service of ordinary processes.

2. *Amount and nature of security.*—The security for the costs of the respondent referred to in section 602 and 605 of the said Code shall ordinarily be to the amount of Rs. 4,000, and shall consist either of cash or of Government securities or of immoveable property, or, if necessary, may be made up of any two or more of the above kinds of property.

If in any special case falling under section 605, on the application of the respondent, the Resident requires the appellant to furnish further security, such security shall be of the like nature as that prescribed above; but under rules framed by His Majesty in Council and given in appendix B, such security shall in no case exceed Rs. 10,000.

The security referred to in sections 608 and 609 shall be of such nature and amount as the Resident may on the merits of the case decide, and

<sup>1</sup> See now the Code of Civil Procedure, 1908 (Act V of 1908) as applied *supra*, p. 27.

<sup>2</sup> See now notification No. 778-I. B., dated the 9th April 1912, printed Vol. VIII, Western Division, A.

shall consist of cash or of Government securities or of immoveable property.

3. *Mortgage of immoveable property as security.*—When the security offered under section 602, section 605, section 608, or section 609 consist either wholly or in part of immoveable property, the appellant or respondent, as the case may be, shall file a bond duly registered mortgaging the property, together with a specification of the title of the mortgagor.

4. *The testing of the security.*—When such bond has been filed, the Resident shall direct the security to be tested either by the Clerk of the Court or by the Judge of the Court of the district within which the immoveable property mortgaged is situated.

5. *Estimate of costs. Estimate may be dispensed with.*—Upon the application of the appellant, accompanied by the prescribed fee, an estimate of the amount required to defray the expenses of translating, transcribing, indexing, and transmitting to England the copy of the record of the suit shall be prepared by the Clerk of the Court with reference to the rates shown in rule 18 within 14 days of such application.

Provided it shall be at the discretion of the Resident to dispense with the estimate and to allow the appellant to deposit a sum of Rs. 2,000 on account of expenses, or such amount or amounts as may under the circumstances of the case seem reasonable.

6. *List of papers.*—Within 14 days of the admission of the appeal, the Clerk of the Court shall prepare a list A (of papers in the record which it is proposed to transcribe and transmit to the Registrar of the Privy Council) and list B (of formal and other papers which it is not proposed to transcribe or transmit, which shall ordinarily be those specified in section 602 clause *b* (1) and (3) of the Code) and shall forward copies of the list to the appellant and respondent.

7. *Objection to lists.*—At any time within two weeks from the receipt of the lists, the appellant or the respondent may object thereto; and if the Clerk of the Court refuse to allow the objection, the matter shall be at once submitted for the orders of the Resident.

<sup>1</sup>[8. *Translation of documents.*—All documents which are not originally in the English language, and which have not been translated for the use of the Resident, shall be translated into English by the Clerk of the Court or by an authorized translator of the Court of Resident; and all the translations made or used shall be revised and authenticated by the Clerk of Court.

For such translation, revision, and authentication a time not exceeding four months shall be fixed by the Resident.

<sup>1</sup> Substituted by notification No 63-J., dated the 6th September, 1905. *Hyderabad Residency Orders*, 1905, Pt. I, p. 149.

9. *Transcribing of record*—The translation, revision, and authentication having been completed, the preparation and examination of the transcript record for despatch to England shall be carried out under the orders of the Resident by the Clerk of Court, who shall certify under his hand the correctness of the transcript.

For the purpose of this rule a period of two months shall be allowed.]

10. *Chronological arrangement and index*.—As soon as the transcript record is complete, it shall be reduced as far as possible to chronological order, and a complete index of all the papers, documents and exhibits in the case, with a list showing which have been omitted from the transcript record, shall be prepared by the Clerk of the Court within a period of one month in the following form:—

1	2	3
Serial No.	Description of documents.	Remarks.

11. *Arrangement of papers*.—In the index and transcript the papers shall be placed in the following order:—

1. Plaintiff.
2. Written statements.
3. Examination of parties or their agents, etc.
4. Injunctions.
5. Orders of attachment, etc., (if any), obtained before judgment.
6. Issues framed (if any).
7. Exhibits of Plaintiff.
8. Exhibits of Defendant.
9. Report of Commissioner (if any) with maps, depositions, etc., annexed.
10. Judgment and decree.



11. Memorandum of appeal.
12. Cross appeal of memorandum or objections under section 561 (if any).
13. Proceedings in the Appellate Court (if any).
14. Judgment and decree of that Court.
15. Applications for review of judgment of the Appellate Court.
16. The orders passed on the above.
17. Petition of appeal to Privy Council, affidavits, etc.
18. Appendix (if any).
19. List B of papers omitted under rule 6.

12. *Arrangement may be other than chronological.*—It shall be competent to either party to apply that the papers comprising the transcript record may be arranged in some other than chronological order.

If both parties and the Clerk of the Court agree to the order proposed, the papers shall be so arranged, and, if not, the question shall be referred to the Resident.

13. *Analytical index.*—Either party may apply that an analytical index be prepared of the papers composing the transcript record in addition to the chronological index referred to in rule 10, and if the application be approved by the Resident, such index shall be prepared by the Clerk of the Court at the expense of the party applying for it.

14. *Quality of paper to be used for printing transcript record.*—The appeal and all connected papers must be printed on good quality white paper of size 11 by 8½ inches, with 1¼ inch broad inside margin and 1½ inch broad outside margin, and, unless printed on paper of this size, the whole will by standing office order of the Privy Council be reprinted at the applicant's expense.

15. *Transmission of transcript record to England and notice to parties.*—When the transcript record and index are complete, the whole shall be transmitted without delay to the Registrar of the Judicial Committee of the Privy Council; and intimation of the despatch shall be given to the appellant and respondent.

16. *Extension of period under the rules.*—The periods prescribed in the rules quoted above for the several stages in the compilation of transcript record may for sufficient reasons be extended under orders of the Resident.

17. *Clerk of the Court may depute his duties to another.*—The Clerk of the Court may, under the orders of the Resident, depute any of the duties which devolve upon him under the rules to the Deputy Clerk of the Court or other officer of the Court of the Judicial Commissioner.

18. *Rates referred to in rule 5.*—The following charges shall be payable in respect of the matter provided for in Privy Council Appeal Rules:—

	Rs.	A.	P.
Estimate of costs . . . . .	16	0	0
Preparation of lists of papers per 10 entries or part of 10 entries . . . . .	1	0	0
Report on agreement or disagreement of parties as to omission for each entry . . . . .	0	1	0
Translation of vernacular papers per 1,000 words . . . . .	8	0	0
Revision of ditto ditto . . . . .	4	0	0
Transcribing records per 1,000 words . . . . .	1	2	0
Examining and certifying ditto . . . . .	0	10	0
Chronological index per 10 entries or part thereof . . . . .	3	0	0
Analytical index . . . . .	Special charge.		

NOTES (a)—Translation includes the reading of the translated documents to the Examiner.

(b)—The above charges are subject to alteration.

## APPENDIX A.

Form of notices referred to in Rule 1.

In the Court of the Resident at Hyderabad.

To . . . . .

\_\_\_\_\_ } Plaintiff.  
 \_\_\_\_\_ }  
*versus*  
 \_\_\_\_\_ }  
 \_\_\_\_\_ } Defendant.  
 \_\_\_\_\_ }

*Claim.*

Notice under section

Act XIV of 1882.

Whereas

in the above suit has filed an application in this Court for a certificate under section 598, Act XIV of 1882, it is hereby notified that cause may be shown on behalf of

on the \_\_\_\_\_ day of \_\_\_\_\_  
 appeal should not be granted to the said  
 under section 600 of the above Act.

why a certificate of

Given under the seal of this Court, the

day of

*Clerk of the Court.*

Notice under section Act XIV of 1882.  
 In the Court of the Resident at Hyderabad.  
 To

Applicant.  
 Appellant.  
 Opponent.  
 Respondent.

*Claim.*

Whereas , appellant  
 in the above suit, has given security and made deposit to the satisfaction  
 of the Court, take notice therefore that the appeal of the said  
 to His Majesty in Council has been admitted this day of  
 Given under the seal of this Court the day of

*Clerk of the Court.*

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APPENDIX B.

Instructions given by Her Majesty in Council relating to the submission  
 of appeals, printing the appeals in India or elsewhere, amount of  
 security, and other matters relating to the appeals.

[The Orders in Council cited, being obsolete, are not reprinted. See  
 now the Judicial Committee Rules, 1908 (published in the notification  
 of the Government of India in the Home Department, No. 444, dated the  
 24th March, 1910, *Gazette of India*, 1910, Pt. I, p. 271) and the Order in  
 Council, dated the 9th February 1920.]

[*Hyderabad Residency Orders*, 1905, Pt. I, p. 135.]

*Forms of civil register for use in Civil Courts.*

No. 92-J., dated the 4th December, 1915.—Not re-printed.

[*Hyderabad Residency Orders*, 1915, Pt. I, p. 227.]

*Inspection of judicial records.*

No 39, dated the 9th June, 1889.—The following rules on the subject  
 of the inspection of Judicial records made by the Judicial Commissioner,  
 Hyderabad Assigned Districts, under the provisions of section 16 (1),  
 clauses (c) and (e), of the Hyderabad Assigned Districts Courts Law for

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<sup>1</sup> See now section 554 of the Code of Criminal Procedure, 1898 (Act V of 1898),  
 and section 128 of the Code of Civil Procedure, 1908 (Act V of 1908), as applied  
*supra* p. 27.

the guidance of Civil and Criminal Courts in the Hyderabad Assigned Districts, the Hyderabad Residency Bazzars, the Cantonment of Secunderabad, the Hyderabad Contingent stations of Aurangabad, Bolarum, \* \* \* and the Railway lands in the territories of His Highness the Nizam of Hyderabad (other than the Railway lands referred to in the notifications of the Government of India in the Foreign Department, No. 4564-I., dated the 18th November 1891, and No. 3244-I. B., dated the 26th August 1897), and sanctioned by the Resident under the provisions of section 16 (2) of the same Law, are hereby published for general information.

*Rules regarding the inspection by the public under certain conditions of Judicial records and proceedings.*

I. *Records of decided cases.*—Records of decided cases shall be open to the inspection of the public subject to the general control of the head of the office.

II. *Records of pending cases.*—Records of pending cases shall be open to the inspection free of charge of the parties, or their pleaders or agents alone, subject to the general control of the presiding officer of the Court in which the case is pending.

Inspection shall not be allowed on the day fixed for the hearing of the case without the special permission of the presiding Judge, and for such inspections the fees will be double the rates prescribed in rule VI.

III. *Time and place of inspection.*—The inspection of records shall be made at such time, in such place, and in the presence of such official as the head of the office in the case of records of decided cases and the presiding Judge in the case of records of pending cases may direct.

IV. *Application for inspection.*—Application for inspection of records shall be made in writing on plain paper, and shall distinctly specify the record inspection of which is desired. The application shall be presented in Form I.

V. *Forms of register.*—A register called the Inspection Register will be kept in Form II annexed at headquarters by the Clerk of the Court—elsewhere by such officer as the presiding Judge may direct—in which applications which have been granted will be entered.

VI. *Fees to be paid.*—The following fees shall be paid for inspection, viz.:—

	Rs.	A.	P.
For the first hour or part of an hour . . . . .	1	0	0
For each subsequent hour or part of an hour . . . . .	0	8	0

VII. *Mode of payment of fees.*—Inspection fees will be levied by means of adhesive Court-fee stamps to be affixed by the applicant in

<sup>1</sup> Superseded by No. 778-I. B., dated the 9th April, 1913. Printed Vol. VIII, Western Division, A.

column 7 of the register prescribed by rule V before the search commences. Stamps are not to be punched till the *plus* and *minus* memorandum referred to in rule XIII is prepared, but the applicant after affixing the stamps in column 7 will write his name across the stamp in such a way that a part of his signature will be on the stamp and part on the page of the register. The Clerk of the Court will see that the stamp is duly affixed and cancelled. These fees will be prepaid, and will in no case be refunded.

VIII. *Separate application and separate fee for each record.*—A separate application shall be made and a separate fee paid for each record which it is desired to inspect, unless the records are so closely connected that, in the opinion of the head of the office or presiding Judge, they may be regarded as one, in which case one application and one fee will suffice.

IX. *Copying of documents prohibited.*—It will be the duty of the official supervising the examination of a record to see that no alterations are made in it or papers abstracted, and to return it, when search is over, in its original condition. He will permit none but the applicant himself, or the applicant accompanied by a pleader<sup>1</sup> [and if necessary an interpreter,] to search the record. He will not allow searchers to use pen and ink at all, or to take copies or detailed extracts or anything beyond pencil memoranda sufficient to enable identification of a paper if a copy should afterwards be applied for. The search must be completed and the record returned within office hours of the day on which the record was taken out for examination. If a person who has made an application for inspection, and to whom the records asked for have been handed over for inspection, fails to finish his inspection that day, he must, if he wishes to make further inspection, make a fresh application on some future day.

X. *Appropriation of fees.*—Fees realized under these rules shall be appropriated, as far as is necessary, to the entertainment of any establishment required for the purposes of inspection.

XI. *Establishment.*—The head of the office may, with the sanction of the Judicial Commissioner, appoint any establishment necessary for the inspection of records, provided the cost does not exceed the income derived from inspection fees.

XII. *Inspection clerk's qualification, appointment, etc.*—No person shall be appointed an inspection clerk unless he has passed by the 9th standard of the Berar curriculum. Ordinarily the pay of this clerk should not exceed Rs. 15, and his appointment, dismissal etc., will rest with the Deputy Commissioner in his own Court and in all Courts subordinate to him; in other Courts with the presiding officer.

<sup>1</sup> Inserted by notification No. 20, dated the 22nd March, 1905. *Hyderabad Residency Orders*, 1905, Pt. I, p. 5.

XIII. *Accounts to be kept.*—The inspection clerk will keep an account book in Form III annexed. A *plus* and *minus* memorandum should be prepared therefrom monthly showing the balance of the fund at the beginning of the month, the amounts received and credited during the month, and those paid out during the month, and deducting the balance at the end of the month. It should be verified by the head of the office, and a copy thereof forwarded to the Comptroller with the pay bill of the inspection establishment. The latter should be drawn up in Treasury Form No. XI.

XIV. A quarterly account of income and expenditure shall be submitted in the prescribed form to the Judicial Commissioner by the head of the office with the quarterly civil statements.

FORM NO. I.

*Form of Application.*

Date of application.	Name of applicant.	Record or register to be inspected or searched.	Time during which it is proposed to inspect or search.	Amount of fees which it is proposed to pay.	Order granting permission to inspect or ordinary search to be made.
1	2	3	4	5	6

FORM NO. II.

*Inspection Register.*

No. and date of order.	Name of applicant for inspection.	Record or register of which inspection is sought.	Hour at which inspection commenced.	Hour at which inspection ended.	Amount paid in Court-Fee stamps.	Court-fee labels to be affixed in this column.	REMARKS.
1	2	3	4	5	6	7	8
					Rs.   a.	Signature of applicant.	

FORM No. III.

*Account Book.*<sup>1</sup>

[*Hyderabad Residency Orders*, 1899, Pt. I, p. 197.]

*Procedure for obtaining copies of Judicial Records and fees for such records.*

No. 51-J., dated the 8th May, 1916.—Not re-printed.

[*Hyderabad Residency Orders*, 1916, Pt. I, p. 71.]

*Courts in British India empowered to send <sup>2</sup>decrees to the District Court and the Court of Small Causes' in these Administered Areas for service and execution.*

No. 786-I. B., dated the 9th April, 1913.—Printed in Appendix XXI-A.

*Service and execution by the said Courts in these Administered Areas of summonses and decrees—(a) of Civil or Revenue Courts in British India;<sup>3</sup> (b) of other Courts established or continued by the Governor General in Council;<sup>3</sup> (c) of certain Courts in Indian States.*

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A.

*Service by the said Courts in these Administered Areas of summonses of Civil and Revenue Courts of the Hyderabad State.*

No. 47, dated the 29th June, 1905.—Printed *supra*, p. 16.

*Execution by the said Courts in these Administered Areas of decrees of Civil Courts of the Hyderabad State.*

No. 2602-I. B., dated the 9th November, 1917.—Printed *supra*, p. 18.

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<sup>1</sup> Form III was discontinued by notification No. 107-J., dated the 15th November 1910 (*Hyderabad Residency Orders*, 1910, Pt. I, p. 231), which further directs that in Form II the totals for each day should be entered in the column of Remarks and initialled by the Clerk of the Court, and that a continuous total should also be given from the 1st January to the 31st December.

<sup>2</sup> As regards summonses see Rule 26 (a) of Order V of the First Schedule of the Code of Civil Procedure, 1908 (V of 1908), read with clause (1) of notification No. 322-I., dated the 15th May, 1929, printed in Appendix XXI-A.

<sup>3</sup> See also sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908), as locally applied.

*Service of summonses and execution of decrees of the said Courts<sup>1</sup> in the Administered Areas by other Courts established or continued by the Governor General in Council.*

No. 322-I., dated the 15th May, 1929.—Printed in Appendix XXI-A.

*Service of summonses of the said Courts in the Administered Areas by*  
 —(a) *Civil Courts of the Hyderabad State;*

No. 47, dated the 29th June, 1905.—Printed *supra*, p. 17.

(b) *by Civil Courts of the Baroda and Mysore States.*

No. 398-I. B., dated the 25th February, 1910.

No. 2622-I. B., dated the 24th December, 1912. } Printed in Appendix  
 XXI-C.

*Execution of decrees of the said Courts in the Administered Areas—*

(a) *by Civil Courts of the Hyderabad State;*

No. 2603-I. B., dated the 9th November 1917.—Printed *supra*, p. 18.

(b) *by Civil Courts of the Baroda and Mysore States.*

No. 2623-I. B., dated the 24th December, 1912.—Printed in Appendix  
 XXI-C.

*Reciprocal service of summonses by Civil Courts in the Administered  
 Areas and Civil Courts in—*

(a) *Kenya;*

No. 397-I., dated the 13th August, 1924.—Printed in Appendix  
 XXI-D.

(b) *Persia.*

No. 460-I., dated the 30th July, 1928.—Printed in Appendix  
 XXI-D.

*Remission of fees chargeable on decrees of Baroda Courts.*

No. 2266-I. B., dated the 11th October, 1916.—In exercise of the powers conferred by Section 35 of the Court-fees Act, 1870 (VII of 1870), as applied to, or as in force in, the areas specified in the Schedule hereto annexed, the Governor General in Council is pleased to remit the fees chargeable under the said Act, on copies of decrees of "[Civil Courts]" situate in the territories of His Highness the Gaekwar of Baroda forwarded to any Court in the said areas for execution.

<sup>1</sup> These Courts may send their summonses and decrees to Courts in British India for service and execution see sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908).

<sup>2</sup> Substituted by notification No. 3180-I. B., dated the 4th October, 1918. *Gazette of India*, 1918, Pt. I, p. 1593.



SCHEDULE.

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4. The Administered Areas in the Hyderabad State, as described in the notification of the Government of India in the Foreign Department, No. 582-I. B.,<sup>1</sup> dated the 22nd March, 1913.

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[*Gazette of India*, 1916, Pt. I, p. 1519.]

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<sup>1</sup> See now notification No. 260-I., dated the 24th April, 1929, *supra* p. 27.

### VIII.—Orders<sup>1</sup> under Acts locally applied.

#### INDIAN POLICE ACT, 1861.

##### *Enrolment and employment of Special Police Officers.*

No. 111-J., dated the 26th November, 1926.—In exercise of the powers vested in him under section 46 (1) (a) of the Indian Police Act (V of 1861) as applied to the Administered Areas in the Hyderabad State the Resident is pleased to frame the following Rules for the enrolment and employment of Special Police Officers.

1. Section 17 of the Police Act provides for obtaining the aid of residents in the event of a disturbance being threatened in the locality. Though the section provides for the compulsory appointment of Special Police Officers, endeavour should always be made to obtain voluntary enrolment before resort is made to compulsion. The District Superintendent of Police should forthwith prepare in consultation with the District Magistrate a list of persons suitable for duty as Special Police Officers for each locality in the Administered Areas.

2. Separate applications should be made for the appointment of Special Police Officers who have volunteered and for those to whom compulsion has to be applied. In other respects, the procedure will

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<sup>1</sup> Except where stated to the contrary, these orders apply to all the Administered Areas in the Hyderabad State.

Those relating to Cantonments, which name Secunderabad only but are cited here as applying equally to Aurangabad, are covered by notification No. 3694-I. B., dated the 7th October, 1904 (*Gazette of India*, 1904, Pt. I, p. 748), which directs that "all laws and rules having the force of law, which immediately before the 11th March 1904 were in force in the Cantonment of Secunderabad, exclusive of the area formerly known as the 'Contingent Station' of Bolarum, and have not been expressly rescinded shall, with effect from that date, be deemed to be in force in the Cantonment of Secunderabad, inclusive of the said area, and also in the Cantonment of Aurangabad."

Those relating to railways usually qualify the words "the railway lands in the territories of His Highness the Nizam of Hyderabad" by the words "other than the railway lands in Berar and those referred to in the notifications of the Government of India in the Foreign Department, No. 4564-I., dated the 18th November 1891, and No. 3244-I. B., dated the 26th August 1897," the latter being the lands in the Hyderabad State occupied by the metre gauge main line of the Madras and Southern Maratha Railway and by the Barsi Light Railway, respectively. As these lands are not Administered Areas in the sense of "areas under the administration of the Resident at Hyderabad" (*cf.* the introduction to this Volume), those qualifying words are omitted from the notifications reprinted in this Part. None of the orders apply to the metre gauge line of the Madras and Southern Maratha Railway or to the Barsi Light Railway, which have been under the administration of the Bombay Government (*cf.* page 2, *supra*) from the date they were built: but where an order anterior to November 1903 (when Berar was transferred to the administration of the Chief Commissioner of the Central Provinces) applies to railway lands in Berar, the fact is stated in a footnote.

be the same for both classes. In the application for the appointment of volunteers special mention should be made of the fact that they are volunteers.

3. An application for the appointment of Special Police Officers under section 17 of the Police Act should be made by an officer not below the rank of an Inspector of Police, and to the nearest stipendiary Magistrate and shall contain all the necessary particulars, principally,

- (i) the period for which the Special Police Officers are required,
- (ii) the limits within which they are to be employed, (iii) where no disturbance of the peace has occurred, the grounds for apprehending a disturbance of the peace, etc., and (iv) the reasons why the Police force ordinarily employed is not sufficient.

An order should be obtained from the Magistrate in a proper form for which the following sample will serve as a guide:—

“Whereas an application has been made to me by the \_\_\_\_\_ to appoint the persons noted in the margin, (who have voluntarily offered themselves for appointment)\*, to act as Special Police Officers for \_\_\_\_\_ months within the limits of the Station House (s), and whereas I am satisfied upon the grounds stated in the application that a disturbance of the peace may reasonably be apprehended within those limits and that the Police Force ordinarily employed within those limits is not sufficient for the preservation of the peace therein, and there being no cause to the contrary, I hereby appoint the aforesaid persons, being residents of the neighbourhood, to act as Special Police Officers for a period of \_\_\_\_\_ months from the date of this order within the limits of the \_\_\_\_\_ Station House (s) ”.

The officer making the application shall cause a copy of the order to be delivered to each person appointed.

4. The persons so appointed should include as many persons of standing as possible whose authority is likely to be respected by the mass of the population. These should as a rule be employed on staff or supervising duties, and given relatively higher rank than others of lower status. They should not have menial or unreasonable duties assigned to them.

5. The object of appointing Special Police Officers is not to single out and penalise individuals but to gain the assistance of the Public themselves in suppressing disorder. The ring-leaders of contending factions or supposed instigators of the disorder, may therefore be ap-

\* To be deleted when the persons have not volunteered.

pointed only if it appears that the responsibility thus placed on them will cause them to restrain their followers.

6. The duties of Special Police Officers should ordinarily be confined to the checking and prevention of disorder and the collection of evidence, and they should be employed in the manner best suited to make their personal influence felt. They should not be employed outside the disturbed area or its immediate neighbourhood, and should not be subjected to drill or fatigue duties, though they may reasonably be employed in guarding prisoners under arrest. It must be borne in mind that the sole object of appointing Special Police Officers is to obtain assistance.

7. The requirements in respect of discipline should be light. Any conditions of the office which might be regarded as offensive and unnecessarily irksome should not be insisted on. Physical drill for instance, would in most cases be inappropriate, and the saluting, of petty officers unnecessary; while parades or attendance at the Police Station, when necessary, should be so regulated as not to cause hardship.

8. The Police Officer who applies for the appointment of Special Police Officers should make arrangements to supply them with some distinctive badge, such as an armlet bearing the letters S. P. O. and suitable badges of rank when conferred. They should not be required to wear uniform.

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 200.]

#### COURT FEES ACT, 1870.

##### *Rules.*

*No. 80, dated the 22nd November, 1899.*—The following rules framed by the Judicial Commissioner, Hyderabad Assigned Districts, in accordance with clauses (i) and (ii) respectively of section 20 of the Court-fees Act, 1870 (Act VII of 1870), as applied<sup>1</sup> to the Hyderabad Assigned Districts, the Hyderabad Residency Bazars, the Cantonment of Secunderabad, the Hyderabad Contingent Stations of Aurangabad, and the railway lands<sup>2</sup> in the territories of His Highness the Nizam of Hyderabad having been confirmed by the Resident and sanctioned by the Gov-

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<sup>1</sup> See now notification No. 260-I., dated the 24th April 1929, printed *supra*, p. 27.

<sup>2</sup> Includes the railway lands in Berar.

ernor General in Council, are published for general information in supersession of all previous orders on the subject:—

### CIVIL PROCESS FEES.

*Rules under clause (i), section 20, Act VII of 1870, as to the fees chargeable for serving and executing processes issued by the Court of the Judicial Commissioner and by all other Civil Courts subordinate to that Court.*

*Rule 1.*—The fees noted below shall be charged for serving and executing the several processes against which they are respectively ranged:—

### TABLE OF FEES.

SECTION A.—*In the Court of the Judicial Commissioner and all Civil Appellate Courts subordinate thereto.*

	Process fees.
	Rs. A. P.
ARTICLE 1.—Notice of appeal or other notice to respondents in respect of each respondent to be noticed . . . . .	0 9 0
Provided that in the aggregate for service in any one town or village no larger amount than Rs. 15 shall be leviable.	
ARTICLE 2.—Summonses to witnesses in respect of each witness to be summoned . . . . .	0 9 0
Provided that in the aggregate for service in any one town or village no larger amount than Rs. 15 shall be leviable.	
ARTICLE 3.—Warrant of arrest in respect of each person to be arrested, provided the process-server is solely engaged in executing the warrant . . . . .	3 0 0
In other cases . . . . .	1 8 0
ARTICLE 4.—Notice, proclamation, injunction, or other order not specified in any of the foregoing articles, when the copies to be served or fixed up are not more than two in number, one fee . . . . .	1 8 0
For every additional copy . . . . .	0 8 0
Provided that the aggregate amount of the fees levied under this article shall not exceed fifteen rupees.	

SECTION B.—*In all Civil Courts of Original Jurisdiction subordinate to the Court of the Judicial Commissioner, including Courts of Small Causes.*

Nature of processes.	In suits of which the amount or value of the sub- ject-matter in dispute does not exceed Rs. 300.	In suits of which the amount or value of the sub- ject-matter in dispute exceeds Rs. 300.
	Rs. A. P.	Rs. A. P.
1. Summonses to defendants—in respect of each defendant to be summoned, provided that the aggregate amount of the fees levied under this article shall not exceed ten rupees . . . . .	0 4 0	0 10 0
Provided that in the aggregate for service in any one town or village no larger amount than Rs. 8 shall be leviable.		
2. Summonses to witnesses—in respect of each witness to be summoned . . . . .	0 4 0	0 10 0
Provided that in the aggregate for service in any one town or village no larger amount than Rs. 8 shall be leviable.		
3. In respect of the services of the officer making an attachment in the manner prescribed in section 269, 270, or 274 of the Code of Civil Procedure, when the property is to be attached in one town or village . . . . .	0 12 0	1 8 0
When the property is to be attached in more than one town or village, then for every additional town or village . . . . .	0 6 0	0 12 0
4. Warrants of arrest in respect of each person to be arrested, provided the process-server is solely engaged in executing the warrant . . . . .	1 8 0	3 0 0
In other cases . . . . .	0 12 0	1 8 0
5. Orders for the sale of property— By way of poundage on the full amount of the purchase money—		
I.—If the sale be effected through a broker under section 296 of the Code of Civil Procedure.	The commission payable to the broker and in addition a sum equal to one quarter of such commission.	The commission payable to the broker and in addition a sum equal to one quarter of such commission.
II.—If the sale be conducted by an officer of the Court or by any other person (not being a Collector or a broker) appointed by the Court . . . . .	3 2 0 per cent.	3 2 0 per cent.
NOTE.—The poundage fee shall be paid after the sale is effected and before the proceeds are delivered over to the decree-holder.		
6. In respect of the services of the officer making delivery of possession of property under section 259, 263, 264, 318, 319, 332, or 335 of the Code of Civil Procedure, when property is to be delivered in one town or village only . . . . .	0 12 0	1 8 0

SECTION B—concluded.

Nature of processes,	In suits of which the amount or value of the subject-matter in dispute does not exceed Rs 300.	In suits of which the amount or value of the subject-matter in dispute exceeds Rs 300.
	Rs. A. P.	Rs. A. P.
When property is to be delivered in more than one town or village, then for every additional town or village, provided that the aggregate amount of the fees levied under this article shall not exceed ten rupees . . . . .	0 4 0	0 8 0
7. In respect of the services of the peon, if one be deputed to attend on arbitrators, per diem .	0 4 0	0 4 0
NOTE.—This fee shall be payable in advance for as many days as may be allowed by the Court for the delivery of the award under section 508 or as may from time to time be allowed under section 514 of the Code of Civil Procedure.		
If this fee is levied, no further fee will be charged under article 8 in respect of service of the order of reference on the arbitrators.		
8 Notice, proclamation, injunction or other order not specified in any preceding article of this section, when the copies to be served or fixed up are not more than two in number, one fee	0 8 0	1 4 0
When such copies are more than two in number, then for every additional copy . . . . .	0 4 0	0 8 0
Provided that in the aggregate for service in any one town or village no larger amount than Rs. 8 shall be leviable.		

*Rule II.*—Notwithstanding Rule I, no fee shall be chargeable for serving or executing—

- (a) Any process which may be issued by any Court of its own motion solely for the purpose of taking cognizance of and punishing any act done or words spoken in contempt of its authority.
- (b) Any process issued a second time in consequence of an adjournment made otherwise than at the instance of a party.
- (c) Any copy of a warrant, order or certificate fixed up under section 264, 274, or 319 of the Code of Civil Procedure, when the fee chargeable under Article 3 or Article 6 of Section B has been paid.
- (d) Any copy of a summons, notice, order, proclamation, or other process fixed up in a Court-house or in the office of a Collector.
- (e) Any notice issued by a District Court under section 322C of the Code of Civil Procedure.
- (f) Any order intimating withdrawal of attachment or postponement of sale.

- (g) Any order intimating to a sale officer that permission has been given to a decree-holder to bid for or purchase property under section 294 of the Code of Civil Procedure.
- (h) Any copy of a notice of an application under Act VIII of 1890 sent to a Collector, or
- (i) Any order directing an officer in charge of a jail to detain or to release a person committed to his custody.

*Rule III.*—No process which comes within the operation of Rule I shall be drawn up for service or execution until the fee chargeable under that rule has been paid. The fee shall be paid in court-fee stamps, which shall be affixed either on the application by which the Court is moved to issue the process, or, if no such application be filed, on the order by which the Court directs the issue or service of the process. If such an application be filed, it must bear the requisite stamps for the fee in addition to such stamps, if any, as are needed for its own validity.

*Rule IV.*—When a Court sends a process for service or execution to any Court beyond its jurisdiction, it shall endorse on the process a certificate that the fee chargeable under Rule I has been levied, and the process so endorsed will be served or executed free of further charge by the Court to which it is sent.

*Rule V.*—Fees for processes to be issued by a Court to which a commission is addressed shall be payable at the rates declared by Rule I to be chargeable for serving and executing processes issued by such Court.

*Rule VI.*—A process issued by any Court in any presidency or province in British India shall be served or executed free of charge by any Court to which it may be sent within the jurisdiction of the Judicial Commissioner, if it be certified on the process that the proper fee has been levied under the rules in force in such presidency or province.

*Rule VII.*—If for any reason it becomes unnecessary for an officer to proceed to make an attachment in the manner prescribed in section 269, 270, or 274, or delivery of possession of property under section 259, 263, 264, 318, 319, 332, or 335 of the Code of Civil Procedure, any fee paid in respect of his services shall be refunded.

When, in consequence of a reference to arbitration being withdrawn or of an award being made before the expiry of the time fixed under section 508 or section 514 of the Code of Civil Procedure, the peon has not been deputed to attend on the arbitrators, or has attended on them for a shorter time than that for which payment has been made in respect of his services, the fee paid shall be refunded in whole or in part, as the case may be.



When in consequence of a compromise or for some other reason, it becomes unnecessary to serve or execute a summons, notice, warrant, proclamation, injunction, or order for which a fee has been paid, half the fee shall be refunded if the process has not been issued.

NOTE.—The public should be warned by notice posted in some conspicuous place in every Court, that, although no limit of time is prescribed for applications for the refund of fees paid under Rule I, yet as such applications can be granted only on view of the stamps originally filed, which are liable to be destroyed under the rules for the destruction of civil records, there is a probability, in case delay be allowed to occur, that it may become impossible to obtain a refund.

*Rule VIII.*—In cases which are covered by the note to Article 7 of Section B, Rule I, the additional fee which may become payable shall be paid in court-fee stamps.

*Rule IX.*—The fee payable by way of poundage on the full amount of the purchase-money shall be paid in court-fee stamps, which shall be affixed on the first application, if any be filed, for payment of such purchase-money out of Court, whether it be or be not made by the person who obtained the order of sale, or whether it does or does not extend to the whole of the purchase-money. If no such application be filed, then the stamps representing the fee payable shall be affixed on the office report on which the Court has recorded its order for payment. If such an application be filed, it shall bear the requisite stamps for the fee in addition to such stamps, if any, as are needed for its own validity.

Provided that when such fee has once been paid in full in respect of any sale, no further fees shall be payable in respect of the same sale;

Provided also that the party paying such fee shall recover the amount of it out of the purchase-money prior to the distribution thereof among the persons entitled thereto;

Provided also that, when a sale of immovable property is set aside under section 312 or section 310 of the Code of Civil Procedure, no fee shall be payable by way of poundage on the purchase-money.

*Rule X.*—If default be made in the payment of purchase-money within the time specified in section 307 of the Code of Civil Procedure, the fee payable by way of poundage shall be deducted from the deposit paid under section 306 of the said Code, and stamps representing such fee shall be bought and affixed by the Court on the order directing the deduction to be made.

*Rule XI.*—Any fraction of an anna in a fee payable by way of poundage shall be remitted.

*Rule XII.*—When, in order to the service or execution of any process, the peon or other officer who is to serve or execute it has to cross a bridge or ferry, then the amount, if any, legally payable as toll

shall be levied in cash from the person at whose instance the process is issued before delivery of the process to such peon or other officer.

*Rule XIII.*—The fees paid in pursuance of these rules shall in all proceedings be deemed and treated as part of the necessary and proper costs of the party who pays them, unless such party be entitled to a refund of any such fees, or of any portion of them, and have failed to apply for it.

#### CRIMINAL PROCESS FEES.

*Rules under clause (i), section 20, Act VII of 1870, declaring the fees chargeable for serving and executing process issued by the Criminal Courts within the jurisdiction of the Judicial Commissioner.*

I. The fees hereinafter mentioned shall be chargeable for serving and executing processes issued by any Magistrate in the case of offences other than offences for which the Police may arrest without a warrant, namely:—

	As.
1. Warrant of Arrest . . . . .	8
2. Summons—	
(a) in respect of one person or of the first person named in the summons . . . . .	4
(b) in respect of each other person named in the summons . . . . .	2
3. Proclamation for absconding person under section 87 of the Code of Criminal Procedure . . . . .	8
4. Warrants of Attachment—	
(a) in respect of the warrant . . . . .	8
(b) when it is necessary to place officers in charge of property attached, in respect of each officer so employed per diem, not less than . . . . .	2
not more than . . . . .	3
5. In cases where an application is made by a complainant for the recovery of fees ordered to be repaid under section 31 of the Court-fees Act, 1870, or of compensation granted under section 545 of the Code of Criminal Procedure, or where a person applies for the recovery of compensation awarded to him under section 250 of the Code of Criminal Procedure in respect of the warrant of the levy of the fees, fine or compensation . . . . .	4

Provided that no fee shall be chargeable on any summons to attend as a juror or assessor in a Court of Session.

Provided also that no fee shall be chargeable on any process issued on the complaint or application of any public officer or railway servant acting as such public officer or railway servant.

*Explanation.*—Any person who falls within the definition of “public officer” contained in section 2 of the Code of Civil Procedure is to be deemed a public officer for the purposes of this proviso.

Provided also that the Magistrate may remit in whole or in part the fees chargeable under this rule in cases other than those falling

under Chapters XIX, XX, and XXI of the Indian Penal Code, whenever he is satisfied that the complainant or the accused has not the means of paying them.

II. Fees chargeable under Rule I shall be collected by adhesive stamps, and be levied within a time to be fixed by the Magistrate before process is issued.

III. No fees shall be chargeable for serving and executing processes issued in the case of offences for which Police-officers may arrest without a warrant.

IV. A separate process shall be served on each individual summoned or arrested.

V. Process issued by Courts in British India for service by the Court within the jurisdiction of the Judicial Commissioner shall be served free by the latter Courts.

[*Hyderabad Residency Orders*, 1899, Pt. I, p. 353.]

*Use of adhesive<sup>1</sup> and impressed stamps, and remission of fractions of an anna in Secunderabad and Aurangabad.*

No. 1247-I., dated the 19th March, 1891.—In exercise of the power conferred by sections 26 and 35 of the Court-fees Act, VII of 1870, as applied to the Cantonment of Secunderabad \* \* and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to direct that the provisions (so far as they may be applicable) of the notification<sup>2</sup> No. 361, dated the 18th April, 1883, issued by the Department of Finance and Commerce under the aforesaid sections, shall apply to the aforesaid Cantonment from the [1st September, 1891].<sup>3</sup>

[*Gazette of India*, 1891, Pt. I, p. 149.]

*Use of adhesive<sup>1</sup> and impressed stamps, and remission of fractions of an anna in the Residency Bazars.*

No. 1839-I., dated the 30th May, 1894.—In exercise of the powers conferred by sections 26 and 35 of the Court-fees Act (VII of 1870), as applied to the Hyderabad Residency Bazars \* \* the Governor-General in Council is pleased to direct that the provisions (so far as they may be applicable) of the notification<sup>2</sup> No. 361, dated the 18th

<sup>1</sup> The kinds of adhesive stamps prescribed by notification No. 1494-S.R., dated the 29th March, 1895 (*Gazette of India*, 1895, Pt. I, p. 265), were adopted in these areas with effect from the 1st September, 1895 by notifications Nos. 1883-I. and 1881-I., dated the 11th June 1895. *Gazette of India*, 1895, Pt. I, p. 518.

<sup>2</sup> *Gazette of India*, 1883, Pt. I, p. 189.

<sup>3</sup> Substituted by notification No 3342-I., dated the 13th August, 1891. *Gazette of India*, 1891, Pt. I, p. 476.

April, 1883, issued by the Government of India in the Department of Finance and Commerce under the aforesaid sections, shall apply to the aforesaid Hyderabad Residency Bazars.

[*Gazette of India*, 1894, Pt. I, p. 298.]

*Payment in local currency for stamps and stamped papers.*

No. 46, dated the 3rd August, 1901.—In exercise of the powers conferred by section 34 of the Court-fees Act, 1870 (VII of 1870), and section 74, clause (a) of the Indian Stamp Act, 1899 (II of 1899), as applied to the Cantonment of Secunderabad, the Hyderabad Residency Bazars, \* \* and the railway lands in the territories of His Highness the Nizam \* \* the Resident at Hyderabad is pleased to make the following rules for the supply and sale of stamps and stamped papers in and for the areas to which the said enactments have been so applied, namely:—

- (1) The value denoted on impressed and adhesive stamps and labels and hundi papers shall be deemed to be expressed in the currency of British India convertible into Hali Sikka currency at the rate of exchange prescribed by the notification of the Government of India in the Foreign Department,<sup>1</sup> No. 2792-I.B., dated the 23rd July, 1901.
- (2) Payment on the purchase of any stamp, label or paper of the kind referred to in rule (1) shall be made in the Hali Sikka currency only.
- (3) Any impressed or adhesive stamp or label or any hundi paper purchased before the commencement of these Rules and being unused may on payment of the deficiency of 20 per centum be enfaced as paid for at the rate referred to in rule 1.

[*Hyderabad Residency Orders*, 1901, Pt. I, p. 225.]

*Reduction and remission of fees.*

No. 2622-I.B., dated the 7th July, 1905.—In exercise of the powers conferred by section 35 of the Court-fees Act, 1870 (VII of 1870), as applied to the Hyderabad Residency Bazaars, the Cantonments of Secunderabad and Aurangabad, and the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* \* and in supersession of the notifications of the Government of India in the Foreign Department cited<sup>2</sup> on the margin so far as they apply to those areas,

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<sup>1</sup> See now notification No. 1578-I. B., dated the 25th May, 1921, *infra*, p. 345.

<sup>2</sup> Not re-printed.

the Governor General in Council is pleased to make the following reductions and remissions within those areas in the fees chargeable by the 1st and 2nd Schedule of the Act, namely:—

- (1) to remit the fees chargeable on applications presented to a Collector for refund of the amount paid to the Government for stamped paper which has become spoiled or unfit for use or is no longer required for use, and on applications for renewal of stamped paper which has become spoiled or unfit for use;
- (2) to direct that, when a plaint disclosing a reasonable case on the merits is presented to any Civil or Revenue Court in such a form that the presiding Judge or officer, without summoning the defendant, rejects it, not for any substantial defect, but on account of an entirely technical error in form only, and so as to leave the plaintiff free to prosecute precisely the same case in another form against the same defendant or defendants, the value of the stamp on the plaint shall be refunded on presentation of an application to the Collector of the district in which the Court is situated, together with a certificate from the Judge or officer who rejected the plaint that it was rejected in the circumstances above described and that the value of the stamp should in his opinion be refunded;
- (3) to direct that the fee chargeable on appeals from orders under clause (c) of section 244 of the Code of Civil Procedure, 1882 (Act XIV of 1882)<sup>1</sup>, shall be limited to the amounts chargeable under article II of the Second Schedule;
- (4) to remit the fees chargeable on security bonds for the keeping of the peace by or good behaviour of persons other than the executants;
- (5) to remit the fee payable under article 1, clause (c) of the Second Schedule on an application or petition presented to a Chief Commissioner when the application or petition is accompanied by a petition to the Government of India and contains merely a request that that petition may be forwarded to the Government of India;
- (6) to remit the fees chargeable under articles 6, 7 and 9 of the First Schedule on copies furnished by Civil or Criminal Courts or Revenue Courts or offices for the private use of persons applying for them.

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<sup>1</sup> See now the Code of Civil Procedure, 1908 (V of 1908), as applied, *supra*, p. 27.

Provided that nothing in this clause shall apply to copies when filed, exhibited or recorded in any Court of Justice or received by any public officer;

- (7) to remit the fees chargeable under paragraph 4 of clause (a) and paragraph 2 of clause (b) of article 1 of the Second Schedule on applications for orders for the payment of deposits in cases in which the deposit does not exceed Rs. 25 in amount.

Provided that the application is made within three months of the date on which the deposit first became payable to the party making the application;

- (8) to remit the fee chargeable on an application made by a person to the Collector under the second paragraph of section 42 of the Indian Stamp Act, 1899 (II of 1899), for the return to that person or to the registration officer who impounded it, of a document impounded and sent to the Collector by a registration officer;
- (9) to remit the fee chargeable on an application made for transfer of stock note from one circle to another under paragraph 6 of Resolution No. 2566, dated the 20th August, 1885;
- (10) to remit the fees chargeable on the following documents, namely:
- (a) copy of a charge framed under section 210 of the Code of Criminal Procedure, 1898 (Act V of 1898), or of a translation thereof when the copy is given to an accused person;
  - (b) copy of the evidence of supplementary witnesses after commitment when the copy is given under section 219 of the said Code to an accused person;
  - (c) copy or translation of a judgment in a case other than a summons case, and a copy of the heads of the Judge's charge to the jury, when the copy or translation is given under section 371 of the said Code to an accused person;
  - (d) copy or translation of a judgment in a summons case, when the accused person to whom the copy or translation is given under section 371 of the said Code is in jail;
  - (e) copy of an order of maintenance when the copy is given under section 490 of the said Code to the person in whose favour the order is made, or to his guardian, if any, or to the person to whom the allowance is to be paid;
  - (f) copy furnished to any person affected by a judgment or order passed by a Criminal Court of the Judge's charge to the jury or of any order, deposition, or other part of

the record when the copy is not a copy which may be granted under any of the preceding sub-clauses without the payment of a fee, but is a copy which on its being applied for under section 548 of the said Code the Judge or Magistrate for some special reason to be recorded by him on the copy thinks fit to furnish without such payment;

- (g) copies of all documents furnished under the orders of any Court or Magistrate to any Government Advocate or Pleader or other person specially empowered in that behalf for the purpose of conducting any trial or investigation on the part of the Government before any Criminal Court,
- (h) copies of all documents which any such Advocate, Pleader, or other person is required to take in connection with any such trial or investigation for the use of any Court or Magistrate or may consider necessary for the purpose of advising the Government in connection with any criminal proceedings;
- (i) copies of judgments or depositions required by officers of the Police Department in the course of their duties;
- (11) to direct that the fee chargeable—
  - (a) on application to a Collector, or to any officer or person discharging all or any of the functions of a Collector, with respect either to liability to assessment or to the amount of an assessment under Act II of 1886 (*an Act for imposing a tax on income derived from sources other than agriculture*) and
  - (b) on a copy of an order passed under section 26 of the same Act shall be limited to one anna;
- (12) to remit the fee chargeable on an application presented by any person for the return of a document filed by him in any Court or public office;
- (13) to direct that, if the amount of the fee chargeable in any case involves a fraction of an anna, the fraction shall be remitted, except where otherwise expressly provided by this notification;
- (14) to remit the fee chargeable on an application for the grant of a license for the vend of stamps;
- (15) to direct that no court-fee shall be charged on an application for the repayment of a fine or of any portion of a fine the refund of which has been ordered by competent authority;

- (16) to remit the fees chargeable on copies of documents furnished by a Court of Session or the High Court to a pleader appointed by the Court to defend a person accused of murder;
- (17) to remit the fees chargeable under Schedule II on applications for copies of the documents detailed in clause 10 above.

[*Gazette of India*, 1905, Pt. I, p. 498.]

*Reduction and remission of fees.*

No. 1437-G., dated the 28th July, 1911.—In exercise of the powers conferred by section 35 of the Court-fees Act, 1870 (VII of 1870), as applied to the Hyderabad Residency Bazars and the Cantonments of Secunderabad and Aurangabad and in supersession of all previous notifications on the same subject, the Governor General in Council is pleased—

- (a) to remit all fees payable under Schedule II to the said Act upon applications relating to licenses or duplicates granted or renewed under the Hyderabad Residency Arms Rules, 1911, other than licenses or duplicates of the nature hereinafter referred to in sub-head (b); and
- (b) to reduce to one anna all fees exceeding one anna payable under the said Schedule upon applications relating to licenses or duplicates granted or renewed under the said rules in respect of which—
  - (i) no fee is payable under the said rules, or
  - (ii) the fee payable under the said rules has been collected in full.

[*Gazette of India*, 1911, Pt. I, p. 613.]

*Further remissions.*

No. 88-J., dated the 1st October, 1926.—In exercise of the powers conferred by section 35 of the Court-fees Act, 1870 (VII of 1870) as applied to the Administered Areas in the Hyderabad State, the Resident is pleased to make in the said areas the remissions hereinafter set forth in the fees leviable under Articles 11 and 12 of the first schedule of the said Act, as so applied on the property of (1) any person subject to the Naval Discipline Act (29 and 30 Vict. C. 109), the Army Act (44 and 45 Vict. C. 58), the Air Force Act (7 and 8 Geo. 5 C. 51) or the Indian Army Act, 1911 (VIII of 1911) who is killed or dies from wounds inflicted, accidents occurring or disease contracted while on active service or on service which, is of a war-like nature or



involves the same risk as active service, and (2) any person being a Government servant, civil or Military who dies from wounds inflicted while in actual performance of his official duties or in consequence of those duties.

*Remissions.*

(a) Where the amount or value of property, in respect of which the grant of probate or letters of Administration is made, or which is specified in the certificate under Part X of the Indian Succession Act, 1925 (XXXIX of 1925) as applied, does not exceed Rs. 50,000 the whole of the fees leviable in respect of that property;

(b) Where the said amount or value exceeds Rs. 50,000 (Rupees fifty thousand) the whole of the said fees in respect of the first Rs. 50,000 (Rupees fifty thousand).

[*Hyderabad Residency Orders*, 1926, Pt. I., p. 184.]

CATTLE TRESPASS ACT, 1871.

*Pound fines in Secunderabad, Aurangabad and the Residency Bazar.*

No. 100-P., dated the 6th November, 1926.—In exercise of the powers conferred on him by section 12 of the Cattle Trespass Act, 1871, as amended by Act XVII of 1921<sup>1</sup> and as applied to the Administered Areas in the Hyderabad State, the Resident is pleased to prescribe the following uniform scale of fines to be collected on impounded cattle in Secunderabad, [Aurangabad]<sup>2</sup> and the Residency Bazar \* \* \*

	Rs.	A.	P.
1. Elephant . . . . .	4	0	0
2. Camel or buffalo . . . . .	1	0	0
3. Horse, mare, gelding, bull, bullock, cow, pony, colt, filly, mule or heifer . . . . .	0	8	0
4. Calf, ass or pig . . . . .	0	4	0
5. Ram, ewe, sheep, lamb, goat or kid . . . . .	0	2	0

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 194.]

*Extension of provisions of section 26 to cattle and enhancement of fines in Secunderabad.*

No. 32-J., dated the 11th April, 1907.—In exercise of the power conferred by section 26 of the Cattle Trespass Act, 1871, as amended by

<sup>1</sup> Section 2 of Act XVII of 1921 was brought into force in the Administered Areas in the Hyderabad State with effect from the 1st January 1927. See Notification No. 99-P., dated the 6th November 1926. *Hyderabad Residency Orders*, 1926, Pt. I, p. 193.

<sup>2</sup> Inserted by Notification No. 17-J., dated the 28th March 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 38.

<sup>3</sup> Omitted by ditto.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 193;  
under Acts locally applied.)

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section 8 of Act I of 1891 and applied to the Cantonment of Secunderabad the Resident is pleased to direct that, with respect to the Cantonment, the first paragraph of the said section 26 of the Cattle Trespass Act, 1871, shall on and after the 15th April 1927 be read as if it had reference to "cattle" generally instead of to "pigs" only and as if the words "Fifty rupees" were substituted for the words "ten rupees".

[*Hyderabad Residency Orders*, 1907, Pt. I, p. 73.]

*Extension of provisions of section 26 to cattle and enhancement of fines in Aurangabad.*

No. 44, dated the 23rd June, 1905.—\* \* \* \* \*

And in exercise of the power conferred by section 26 of the Cattle Trespass Act, 1871, as amended by section 8 of Act I of 1891, the Resident is pleased to direct that, with respect to the said Cantonment of Aurangabad, the first paragraph of the said section 26 of the Cattle Trespass Act, 1871, shall on and after the date<sup>1</sup> specified in the first paragraph of this notification be read as if it had reference to cattle of any kind instead of to pigs only, and as if the words "fifty rupees" were substituted for the words "ten rupees".

[*Hyderabad Residency Orders*, 1905, Pt. I, p. 119.]

*Transfer of certain functions to the Cantonment Board, Secunderabad, and audit of surplus receipts.*

No. 92-J., dated the 9th October, 1926.—Under section 31, sub-section (a) of the Cattle Trespass Act (I of 1871), as applied to the Administered Areas in the Hyderabad State, the Resident is pleased to transfer to the Cantonment Board, Secunderabad, with effect from the 1st December, 1926, all the functions now being exercised under sections 5, 6, 12 and 17 of the Act, by the District Magistrate for the said areas, within the Cantonment of Secunderabad.

Under section 31, sub-section (b) of the same Act, the Resident is further pleased to direct that the surplus accruing within the said Cantonment under section 18 of the Act shall be placed to the credit of the Secunderabad Cantonment Fund.

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 185.]

SPECIAL MARRIAGE ACT, 1872.

*'Appointment of Marriage Registrars.*

No. 14-J., dated the 23rd February, 1925.—In exercise of the powers conferred by section 3 of the Special Marriage Act, 1872 (III of

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<sup>1</sup> 1st July 1905.

1872), as applied to the British Administered Areas in the Hyderabad State, the Resident is pleased to appoint the undermentioned officers to be ex-officio Registrars of Marriages for the areas specified against their names :—

Officers.	Areas.
The District Magistrate for the British Administered Areas in the Hyderabad State.	The Cantonment of Secunderabad, the Hyderabad Residency Bazzars and the Railway lands under the Resident's control.
Judicial Officer, Aurangabad	Cantonment of Aurangabad.

*Residency Orders* Notification No. 4-J., dated the 8th January, 1926, shall cease to have effect from this date.

[*Hyderabad Residency Orders*, 1925, Pt. I, p. 20.]

#### *Scale of fees.*

No. 3-J., dated the 8th January, 1906.—In exercise of the powers conferred by section 14 of the Special Marriage Act, 1872 (III of 1872), as applied to the Hyderabad Residency Bazzars, the Cantonment of Secunderabad (inclusive of the area hitherto known as the “Contingent Station”) of Bolarum, the Cantonment (hitherto known as the “Contingent Station”) of Aurangabad, and the Railway lands in the territories of His Highness the Nizam of Hyderabad \* \* the Resident is pleased to lay down the following scale of fees to be paid to the Registrar of Marriages under the said Act as applied :—

	Government. Rs. A. P.
For the solemnization of a marriage at the Office of a Registrar of Marriages . . . . .	5 0 0
For such solemnization at a private house within the district of a Registrar of Marriages . . . . .	15 0 0
For the registration of a notice under section 4 of the Act . . . . .	0 8 0
For the registration of an objection under section 6 of the Act . . . . .	1 0 0
For a copy of a marriage certificate . . . . .	1 0 0
For every other application which may be necessary under the Act . . . . .	0 8 0

The fees shall be collected by means of court-fee stamps of the face value of the amounts specified above, but when the Registrar attends at a private house Rs. 5 only of the fees shall be so collected, and the remainder shall be collected in cash, and be held to be the perquisite of the Registrar.

[*Hyderabad Residency Orders*, 1906, Pt. I, p. 12.]

INDIAN CHRISTIAN MARRIAGE ACT, 1872.

*Appointment of Marriage Registrar.*

No. 2-J., dated the 10th January, 1929.—In exercise of the power conferred by section 7 of the Indian Christian Marriage Act, 1872 (XV of 1872), as applied to the Administered Areas in the Hyderabad State, and in supersession of the Residency Orders Notification No. 15, dated the 17th July, 1893, the Resident is pleased to appoint the District Magistrate for the Hyderabad Administered Areas, Secunderabad, to be the senior Marriage Registrar within the limits of the said areas.

[*Hyderabad Residency Orders*, 1929, Pt. I, p. 13.]

*Forms of Register Book and extracts and quarterly report of extracts with Registrar General for Secunderabad.*

No. 3, dated the 26th January, 1894.—In exercise of the power conferred by section 62 of the Indian Christian Marriage Act, XV of 1872, as modified by Act II of 1891, and as applied to the Cantonment of Secunderabad \* \* the Resident is pleased to direct that the Register Book to be kept and the extracts therefrom to be deposited with the Registrar General of Births, Deaths, and Marriages under section 62 of the Indian Christian Marriage Act, 1872, as amended by section 4 of Act II of 1891, shall be respectively in the forms of the Marriage Register Books and of the certificate contained in Schedule IV of the said Act. And the Resident is further pleased to direct that the authenticated extracts from the Register Book to be deposited with the Registrar General shall be deposited at intervals of three months, that is to say, on the 1st January, April, July and October in each year, or as shortly after the said dates as is possible.

[*Hyderabad Residency Orders*, 1894, Pt. I, p. 20.]

HACKNEY CARRIAGE ACT, 1879.

*Rules for Secunderabad.*

No. 23, dated the 19th April, 1906.—The following revised rules for the regulation of hackney carriages in the Cantonment of Secunderabad, inclusive of the area hitherto known as the Contingent Station of Bolarum, having been sanctioned by the Resident, are published for general information and guidance:—

1. Every vehicle ordinarily used within the Cantonment of Secunderabad for the conveyance of passengers, goods or materials for hire shall be deemed a hackney carriage within the meaning of these Rules.

2. Every hackney carriage within the cantonment of Secunderabad shall be annually registered by a registering officer, who shall be appointed for the purpose by the <sup>1</sup>[Executive Officer], and every act of the registering officer done under or by virtue of these Rules shall be subject to the order and control of the <sup>1</sup>[Executive Officer].

3. The year of registration shall commence on the first day of January of each year, and every registration made on any date within such year of registration shall be in force to the end thereof and no longer. The registering officer shall at the time of registration deliver a license to the owner of every hackney carriage registered as aforesaid.

4. Hackney carriages shall be divided into five classes as follows:—

*Special class.*—Superior four-wheeled carriages drawn by two horses or two ponies (not under 13-2 hands).

<sup>2</sup>[*First class.*—Four-wheeled carriages drawn by two horses (not under 13 hands 3 inches) or one horse (not under 14 hands 1 inch).

*Second class.*—Tongas drawn by two ponies (not under 12 hands) and superior two-wheeled carriages drawn by one pony (not under 12 hands 3 inches).

*Third class.*—Inferior carriages drawn by one pony (not under 12 hands) and bullock coaches drawn by two bullocks.]

*Fourth class.*—Vehicles drawn by one bullock, and country carts drawn by two bullocks.

5. Any person desirous of registering a carriage as a hackney carriage shall apply to the registering officer and submit such carriage with its horses, ponies, or bullocks and harness for inspection, and the registering officer shall register it if he is satisfied—

- (1) That the carriage is in good order and repair in all its parts and is suitable in appearance;
- (2) That it is provided with two good lamps<sup>3</sup> \* \* \* \* \*  
\* \* \* \* \*
- (3) That the animals are in good working condition and free from any contagious disease, and (in the case of horses) not less than four years old;
- (4) That the harness is complete and serviceable.

<sup>1</sup> Substituted by Notification No. 15-J., dated the 28rd February, 1925. *Hyderabad Residency Orders*, 1925, Pt. I, p. 20.

<sup>2</sup> Substituted by Notification No. 10-J., dated the 19th January, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 27

<sup>3</sup> Omitted by Notification No. 42-J., dated the 13th May, 1914. *Hyderabad Residency Orders*, 1914, Pt. I, p. 37.

5-A. At the time of inspection prior to registration the registering officer shall brand the number of the license, assigned to the carriage in the register, on the hoofs of horses and ponies, and on the horns of bullocks under the letters S. H. C.; or the brand may be made on the neck of the animal if the person producing the animal for registration so desires.

As the brand marks on the hoofs of horses and ponies grow out, owners of licenses shall be bound to get marks so made renewed, as may be necessary by the registering officer, and for this there shall be no fee.

6. The person in whose name any carriage is registered shall be deemed the owner of such carriage for the purpose of these Rules.

7. If the owner of a carriage considers that his vehicle has been wrongly classed by the registering officer, he may appeal to the <sup>1</sup>[Executive Officer] who shall personally inspect the carriage and whose decision as to its class shall be final.

8. The following fees shall be payable on registration:—

	H. S. Rs.
Special class . . . . .	12
First class . . . . .	9
Second class . . . . .	6
Third class . . . . .	4
Fourth class . . . . .	2
Spare animals which the owners of carriages may wish to keep in reserve, per head . . . . .	2

Provided that in case of registration for a portion only of the year the fees shall be proportionately reduced, but no reduction shall be made for a fraction of a quarter.

9. Every license shall set forth—

1st.—The class and the number assigned to the carriage in the register.

2nd.—The name and residence of the owner of the carriage.

3rd.—The number and description of animal to be employed in drawing such carriage.

<sup>1</sup> Substituted by Notification No. 15-J., dated the 23rd February, 1925. *Hyderabad Residency Orders*, 1925, Pt. I, p. 20.

4th.—The number of persons and the weight of property the carriage is licensed to carry, <sup>1</sup>[in determining which regard shall be had to the following scale:—

Class of conveyance.	Description of conveyance.	Drawn by	Number of persons including the driver and syce.	Load.
Special . . .	Drag . . .	2 horses . . .	10 to 12 (a) .	
	Landau . . .	„ . . .	4 to 6 (a) .	
First . . .	Brongham . . .	„ . . .	4 to 6 (a) . .	
	„ . . .	1 horse . . .	4 to 6 (a) . .	
	Phaeton or Victoria .	2 horses or 2 ponies .	4 to 6 (a) . .	
	„ „ „ .	1 horse . . .	4 to 6 (a) . .	
Second . . .	Tonga . . .	2 ponies . . .	4	
	Jhatka . . .	„ . . .	4	
	Tonga . . .	1 pony (b) . . .	4	
	Jhatka . . .	1 „ (b) . . .	4	
Third . . .	„ . . .	1 „ (c) . . .	3	
	Bullock nib . . .	2 bullocks . . .	6 . . .	16 maunds.
Fourth . . .	„ „ . . .	1 bullock . . .	4 . . .	10 „
	Country cart . . .	„ . . .	4 . . .	10 „
	„ „ . . .	2 bullocks . . .	7 . . .	20 „

(a) According to the number of seats provided in the vehicle,

(b) Provided the pony is not under 13-2.

(c) If the pony is under 13-2 but not under 12.

(d) No pony under 12 hands should be licensed,]

10. The registering officer may inspect any carriage registered under these rules at such time and place as he may appoint after sunrise and before sunset and may suspend or cancel any license granted, whenever it shall appear to him that such carriage or any animal or harness used with such carriage is unfit for public use.

10-A. The owner of any hackney carriage whose license has been suspended or cancelled under Rule 10 shall not use the carriage, or animal, or harness, as the case may be, until the license shall have been again restored. If he does so in contravention of this Rule, he shall be liable to the penalty laid down in the Act.

<sup>1</sup> See Notification No. 51, dated the 29th May, 1907, *Hyderabad Residency Orders*, 1907, Pt. I, p. 77.

11. The <sup>1</sup>[registering officer, or any officer of Police of rank not lower than Inspector] <sup>2</sup>[or the Hackney Carriage Inspector] may at any time between sunrise and sunset enter any premises on which licensed vehicles, animals, harness, and other things used therewith are kept, in order to carry out any provisions of these Rules, and the proprietor or his agent shall afford every facility for inspection. But any complaint founded on such inspection shall be laid for orders before the <sup>1</sup>[Executive Officer].

12. Whenever any change shall take place in the ownership of a hackney carriage, if the person to whom such carriage shall have been transferred shall desire to use it as a hackney carriage, he shall, before so using it, give to the registering officer notice in writing of such transfer and of his name and place of abode; and the registering officer, on receipt of such notice, shall amend the register and license accordingly on the payment of fee of one rupee.

No such person shall, before giving such notice as aforesaid, use such carriage as a hackney carriage.

13. Whenever the owner of a carriage registered under these Rules shall change his residence, or shall cease to ply such carriage for hire he shall give notice thereof in writing to the registering officer.

14. Upon the registration of any carriage, the registering officer shall provide <sup>3</sup>[on payment of Hali Sikka annas eight] a plate bearing the class and the number of such carriage in the register and the number of persons it is licensed to carry, and shall cause such plate to be affixed on a conspicuous part of the outside of such carriage.

Provided that in the case of 1st class carriages it shall be lawful for the registering officer at his discretion to allow such plate to be affixed inside the carriage, and the brass badge mentioned in Rule 16 to be carried by the driver otherwise than on his right arm.

15. No carriage shall be let or used for hire without having a proper plate duly affixed as required by the preceding Rule.

16. Every driver of a hackney carriage shall receive a license, with a serial number, to be entered in a separate register kept by the Registering officer, and a brass badge bearing his name and the number of his licenses:

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<sup>1</sup> Substituted by Notification No. 15-J., dated the 23rd February, 1925. *Hyderabad Residency Orders*, 1925, Pt. I, p. 20

<sup>2</sup> Inserted by Notification No. 90-J., dated the 26th September, 1910. *Hyderabad Residency Orders*, 1910, Pt. I, p. 145.

<sup>3</sup> Inserted by Notification No. 36-J., dated the 27th March 1917. *Hyderabad Residency Orders*, 1917, Pt. I, p. 145.



Provided that no person under 16 years of age shall be granted a driver's license.

- (1) Every such license shall contain the number of the license, the name, father's name, place of abode, and the age of the person to whom such license is granted;  
the description of carriage and animals such person is licensed to drive; the date on which the license was granted;  
and shall bear the signature of the Registering Officer.
- (2) A fee of one rupee shall be payable for the grant of each license and badge, or for the renewal of each license, or for the issue of a new license or badge to replace a license or a badge which has been lost or destroyed. The license shall continue in force to the end of the year of registration prescribed in Rule 3 and no longer.
- (3) Every driver to whom a license and badge has been granted shall at all times while acting as a driver, or while attending before any Magistrate or the Registering Officer, carry such license with him, and wear such badge exposed to view on his right upper arm.
- (4) Every driver shall produce his license when required by a Magistrate or other person authorised by the rules in this behalf, and no person shall act as a driver who is not in possession of a badge and license.
- (5) No licensed driver shall allow his license or badge to be used by any other person.
- (6) Every driver who leaves the Cantonment of Secunderabad, or who discontinues his employment, shall deposit his badge at the Police Office with the Registering Officer.
- (7) Every licensed driver must always be sufficiently and cleanly clad, and any driver neglecting this rule is liable to be deprived of his license.

17. The owner of every hackney carriage shall be responsible for the competence and good behaviour of the driver of such carriage, and the registering officer may suspend or cancel the license of any hackney carriage, the driver of which shall appear to him incompetent or unfit or under 16 years of age.

- (1) No owner of a hackney carriage shall knowingly suffer any person not duly licensed under Rule 16 to act as driver of such carriage:

Provided that such owner and such unlicensed driver shall be subject to all the provisions of the Act and these Rules for any act done or

omitted to be done by such driver during such employment in like manner as if such driver had been duly licensed.

- (2) No person shall for the purpose of deception use or wear any badge resembling, or intended to resemble, any badge granted under the authority of these Rules.

18. The owner or driver of every hackney carriage shall be entitled to demand and take for the hire of such carriage the fares set forth in the schedule annexed to these Rules.

<sup>1</sup>[19. The owner of every special, first and second class hackney carriage shall keep with the driver of such carriage a printed table of fare to be signed and supplied by the Registering Officer on payment, showing the number and class of the carriage and the fares which may be demanded and taken for the hire of such carriage.]

19-A. Whenever the license referred to in Rule 3 shall be defaced or lost, the owner may obtain from the registering officer a fresh license on payment of fees at the following rates:—

	H. S.		
	Rs.	A.	P.
Special class . . . . .	5	0	0
1st class . . . . .	4	0	0
2nd class . . . . .	3	0	0
3rd class . . . . .	2	0	0
4th class . . . . .	1	0	0

20. Whenever the plate referred to in Rule 14, or the ticket referred to in Rule 19, shall be defaced or lost, the owner may obtain from the registering officer a fresh plate or a fresh ticket on payment of a fee of Rs. 2 for the former and the actual cost of the latter plus 2 annas.

21. Every owner or driver of a hackney carriage shall be bound to let such carriage to any person requiring the same, but such carriage shall not be let to any person suffering from small-pox or other infectious disease, and should it come to the knowledge of any owner or driver that his carriage has been used to carry a patient suffering from such disease, he shall on no account permit it to be again brought into use until it has been thoroughly disinfected under such police or medical arrangements as the registering officer shall prescribe.

22. Every driver of a hackney carriage who shall be drunk during his employment, or make use of insulting or abusive language or gesture, or who shall demand or take more than the proper fare to which he is legally entitled, or who shall refuse to admit and carry in his carriage the number of persons specified to be carried in such carriage, or who shall carry more than such number of passengers, or who shall, before

<sup>1</sup> See Notification No. 51, dated the 29th May, 1907. *Hyderabad Residency Orders*, 1907, Pt. I, p. 77.

he has been discharged by the hirer, desert from the hiring, shall be liable to the penalty laid down in the Act and in addition to the revocation or suspension of his license.

23. Any driver who cruelly beats, ill-treats, over-drives, or otherwise misuses any animal driven in a licensed vehicle shall be liable to the revocation or suspension of his license to drive, in addition to any other punishment provided for the offence under any law for the time being in force.

24. The owner of any hackney carriage against the driver of which a complaint has been made under Rules 22 and 23 before a Magistrate may be summoned to produce the driver, and shall so produce the driver under penalty of the revocation of his license.

24-A. The driver or owner of any hackney carriage whose license has been suspended or revoked under Rule 23 or 24 shall not use the carriage or the animal, as the case may be, until the license shall have been again restored. If he does so in contravention of this Rule, he shall be liable to the penalty laid down in the Act.

25. Any person using a hackney carriage who shall wilfully injure the same, or who shall maliciously or knowingly deface, destroy, or remove any ticket which shall have been affixed under the provisions of Rule 19, shall be liable to the penalty laid down in the Act, and shall also pay to the owner any compensation which the Magistrate shall award, and the amount of such compensation shall be recoverable as a fine.

26. Every owner or letter for hire of a hackney carriage shall have affixed in a conspicuous place in front of the premises where the carriage is for hire a board containing a notice in English, Urdu, and Telugu that hackney carriages are for hire upon the premises.

27. Property left in public conveyances must be at once made over to the officer in charge at the nearest Police Station to be returned to the owner on payment of all reasonable expenses and of such reward as the '[Executive Officer] may fix.

28. The registering officer may, from time to time, appoint one or more stands in the Cantonment of Secunderabad for carriages registered under these Rules; and no driver shall stand or loiter for the purpose of being hired, in any other public place than at an appointed stand.

Those localities which are mentioned in the table of distances appended to these Rules and which are situate within the Cantonment of Secunderabad shall be deemed to be 'carriage stands' for the purpose of the table of fares.

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<sup>1</sup> Substituted by Notification No. 15-J., dated the 23rd February, 1925. *Hyderabad Residency Orders*, 1925, Pt. I, p. 20.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 203:  
under Acts locally applied.)

29. Nothing contained in these Rules shall prevent any owner of a registered carriage from contracting for the hire of such carriage by the day or month on such terms as may be arranged between the owner and the hirer.

30. Prosecutions for breach of these Rules may be instituted by any passenger, \* \* <sup>1</sup> member of the Cantonment <sup>1</sup>[Board] or by the registering officer. <sup>2</sup>[All offences under these Rules are cognizable by the police, but no driver shall be detained after his name and address have been ascertained, and the drivers who are not residents of the Cantonment of Secunderabad shall be released on their giving security for a sum not exceeding Rs. 10 to appear before the] <sup>1</sup>[Executive Officer.]

*Schedule of fares for time and distance for Hackney Carriages in the Cantonment of Secunderabad.*

Particulars.	Special class.	1st class	2nd class	3rd class.	4th class.	REMARKS.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
<i>For time.</i>						
<i>For one hour or less than one hour.</i>	2 0 0	1 4 0	1 0 0	0 8 0	0 6 0	For two or less passengers.
<i>For every hour or part of an hour over one hour up to three hours, an additional fare of</i>	0 12 0	0 8 0	0 6 0	0 4 0	0 3 0	
<i>From three hours up to six hours before midnight.</i>	5 0 0	3 0 0	2 8 0	1 8 0	1 0 0	
<i>From six hours up to 12 hours before midnight</i>	7 0 0	4 0 0	3 8 0	2 8 0	1 8 0	
<i>For every hour or part of an hour after midnight up to 5 A.M., an additional fee of</i>	0 8 0	0 6 0	0 4 0	0 2 0	0 1 0	
<i>Per hour . . . . .</i>	0 4 0	0 3 0	0 2 0	0 1 0	0 1 0	For every passenger in addition to the two.
<i>Minimum speed per hour</i>	7 miles	6 miles.	6 miles.	4 miles.	3 miles.	

<sup>1</sup> Omitted and substituted by Notification No. 15-J., dated the 23rd February, 1925. *Hyderabad Residency Orders*, 1925, Pt. I, p. 20.

<sup>2</sup> See Notification No. 51, dated the 29th May, 1907. *Hyderabad Residency Orders*, 1907, Pt. I, p. 77.

*Schedule of fares for time and distance for Hackney Carriages in the Cantonment of Secunderabad—contd.*

Particulars .	Special class.	1st class.	2nd class.	3rd class.	4th class.	REMARKS.
	Rs A. P.	Rs A. P.	Rs A. P.	Rs. A P.	Rs. A. P.	
<i>For distance.</i>						
For two miles and under	1 8 0	1 0 0	0 12 0	...	.	
For every succeeding mile or portion of a mile.	0 6 0	0 4 0	0 3 0	...	..	
For a mile or portion of a mile	...	..	...	0 2 6	0 1 6	
For every passenger in excess of two per mile or portion of a mile.	0 3 0	0 2 0	0 2 0	0 1 0	0 1 0	
Stoppage over quarter of an hour, for each quarter hour of detention.	0 2 0	0 2 0	0 2 0	0 0 6	0 0 6	
Minimum speed per hour in miles.	7 miles.	5 miles.	6 miles.	4 miles.	2 miles	

*Notes.*

I. Time is to be calculated from the hour at which the hirer requires the carriage to the hour when he discharges it.

II. If the carriage be summoned from stables over half mile distant to take up the hirer, the distance going and returning to stables shall be charged at rate of "additional mileage."

III. No animal or pair of animals shall be required by the hirer to drive more than 8 miles from place of hiring; and no carriage shall be liable for hire for more than 9 hours in one day.

IV All fares are payable on the discharge of the carriage unless in the case of hackney carriage proprietors, who are willing to keep monthly or other accounts.

V. The maximum load for 4th class vehicles carrying goods or materials shall be 1,600lb or 20 maunds for double bullock carts and 800lb or 10 maunds for single bullock carts.

VI. The distance fixed in the "table of distances" appended will be deemed to be the correct distance for the purposes of calculating hire.

VII. All distances to be calculated from and to the carriage stand nearest to the stables from which the carriage has been hired.

VIII The proprietor of a carriage shall have the option of charging fares either by time or by distance according to the circumstances of each journey performed, but not by both time and distance at the same time.

IX. Notwithstanding the above prescribed schedule of fares, which shall rule in all ordinary cases, it shall be lawful on the part of both the proprietor of a carriage and the hirer of the same, if they choose, to enter into an agreement as regards *special rates* for journeys which may be performed either *within* or *without* the limits of the Secunderabad Cantonment.

*Table of distances (Rule 28) not reprinted.*

[*Hyderabad Residency Orders, 1906, Pt. I, p. 33.*]

*Rules for Aurangabad.*

No. 89, dated the 22nd September, 1908.—The following revised rules for the regulation of hackney carriages in the Cantonment of Auran-

gabad having been sanctioned by the Resident \* \* are published for general information. They will come into force on the 1st November, 1908:—

1. Every vehicle ordinarily used within the Cantonment of Aurangabad for the conveyance of passengers, goods, or materials for hire shall be deemed a hackney carriage within the meaning of these Rules.

2. Every hackney carriage within the Cantonment of Aurangabad shall be annually registered in the Office of the <sup>1</sup>[Executive Officer, Aurangabad Cantonment] who shall be the Registering Officer.

3. The year of registration shall commence on the first day of <sup>2</sup>[April] of each year, and every registration made on any subsequent date within the year of registration shall be in force to the end thereof and no longer. The Registering Officer shall at the time of registration deliver a license to the owner of every hackney carriage registered as aforesaid.

4. Hackney carriages shall be divided into three classes as follows —  
*First class.*—Tongas drawn by two ponies of special quality.

*Second class.*—Tongas drawn by two ponies and two-wheeled carriages drawn by one pony.

*Third class.*—Country carts drawn by two bullocks.

5. Any person desirous of registering a carriage as a hackney carriage shall apply to the Registering Officer and submit such carriage with its ponies, or bullocks, and harness for inspection, and the Registering Officer shall register it if he is satisfied—

- (1) That the carriage is in good order and repair in all its parts and is suitable in appearance.
- (2) That it is provided with two good lamps or in the case of a bullock cart with one good lamp.
- (3) That the animals are in good working condition and free from any contagious disease, and (in the case of ponies) not less than four years old.
- (4) That the harness is complete and serviceable.

5-A. At the time of inspection prior to registration, the Registering Officer shall brand the number of the license, assigned to the carriage in the register, on the hoofs of ponies and on the horns of bullocks under the letters A. H. C., or the brand may be made on the neck of the animal if the person producing the animal for registration so desires.

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<sup>1</sup> Substituted by Notification No. 8-J., dated the 10th January, 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 18.

<sup>2</sup> Substituted by Notification No. 48-J., dated the 16th June, 1914. *Hyderabad Residency Orders*, 1914, Pt. I, p. 49.

As the brand marks on the hoofs of ponies grow out, owners of licenses shall be bound to get marks so made renewed, as may be necessary by the Registering Officer, and for this there shall be no fee.

6. The person in whose name any carriage is registered shall be deemed the owner of such carriage for the purpose of these Rules.

7. If the owner of a carriage considers that his vehicle has been wrongly classed by the Registering Officer, he may appeal to the <sup>1</sup>[Officer Commanding the Station and Cantonment Authorities, Aurangabad] who shall personally inspect the carriage and whose decision as to its class shall be final.

8. The following fees shall be payable on registration—

		H. S.		
		Rs.	A.	P.
First class	. . . . .	9	0	0
Second class	. . . . .	6	0	0
Third class	. . . . .	2	0	0
Spare animals which the owners of carriages may wish to keep in reserve, per head . . . . .		2	0	0

Provided that in case of registration for a portion only of the year the fees shall be proportionately reduced, but no reduction shall be made for a fraction of a quarter.

9. Every license shall set forth—

*1st*—The class and the number assigned to the carriage in the Register. .

*2nd*—The name and residence of the owner of the carriage.

*3rd*—The number and description of animals to be employed in drawing such carriage.

*4th*—The number of persons and the weight of property the carriage is licensed to carry.

10. The Registering Officer may inspect any carriage registered under these Rules at such time and place as he may appoint after sunrise and before sunset, and may suspend or cancel any license granted whenever it shall appear to him that such carriage or any animal or harness used with such carriage is unfit for public use.

10-A. The owner of any hackney carriage whose license has been suspended or cancelled under Rule 10 shall not use the carriage, or animal, or harness, as the case may be, until the license shall have been again restored. If he does so in contravention of this rule, he shall be liable to the penalty laid down in section 5 of the Hackney Carriage Law.

<sup>1</sup> Substituted by Notification No. 3-J., dated the 10th January, 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 13.

11. The Registering Officer, or any Police Officer, not below the rank of Sub-Inspector, may at any time between sunrise and sunset enter any premises in which licensed vehicles, animals, harness, and other things used therewith are kept, in order to carry out any provisions of these rules, and the proprietor or his agent shall afford every facility for inspection.

12. Whenever any change shall take place in the ownership of a hackney carriage, if the person to whom such carriage shall have been transferred shall desire to use it as a hackney carriage, he shall, before so using it, give to the Registering Officer notice in writing of such transfer and of his name and place of abode; and the Registering Officer, on receipt of such notice, shall amend the register and license accordingly on the payment of a fee of H. S. Re. 1.

No such person shall, before giving such notice as aforesaid, use such carriage as a hackney carriage.

13. Whenever the owner of a carriage registered under these Rules shall change his residence, or shall cease to ply such carriage for hire, he shall give notice thereof in writing to the Registering Officer.

14. Upon the registration of any carriage, the Registering Officer shall provide a plate bearing the class and the number of such carriage in the register and the number of persons it is licensed to carry, and shall cause such plate to be affixed on a conspicuous part of the outside of such carriage.

15. No carriage shall be let or used for hire without having a proper plate duly affixed as required by the preceding Rule.

16. Every driver of a hackney carriage shall receive a license, with a serial number, to be entered in a separate register kept by the Registering Officer, and a brass badge bearing his name and the number of his license.

Provided that no person under sixteen years of age shall be granted a driver's license.

- (1) Every such license shall contain the number of the license, the name, father's name, place of abode, and the age of the person to whom such license is granted;  
the description of carriage and animals such person is licensed to drive;  
the date on which the license was granted;  
and shall bear the signature of the Registering Officer.
- (2) A fee of one rupee shall be payable for the grant of each license and badge or for the renewal of each license, or for the issue of a new license or badge to replace a license or a badge which has been lost or destroyed. The license



shall continue in force to the end of the year of registration prescribed in Rule 3 and no longer.

- (3) Every driver to whom a license and badge has been granted shall at all times while acting as a driver, or while attending before any Magistrate or the Registering Officer, carry such license with him, and wear such badge exposed to view on his right upper arm.
- (4) Every driver shall produce his license when required by a Magistrate or other person authorised by the Rules in this behalf, and no person shall act as a driver who is not in possession of a badge and license.
- (5) No licensed driver shall allow his license or badge to be used by any other person.
- (6) Every driver who leaves the Cantonment of Aurangabad, or who discontinues his employment, shall deposit his badge at the Office of the <sup>1</sup>[Executive Officer, Aurangabad Cantonment.].
- (7) Every licensed driver must always be sufficiently and cleanly clad, and any driver neglecting this Rule is liable to be deprived of his license.

17. The owner of every hackney carriage shall be responsible for the competence and good behaviour of the driver of such carriage, and the Registering Officer may suspend or cancel the license of any hackney carriage, the driver of which shall appear to him incompetent or unfit or under sixteen years of age.

(1) No owner of a hackney carriage shall knowingly suffer any person not duly licensed under Rule 16 to act as driver of such carriage; and in the event of any unlicensed person acting as a driver in contravention of this Rule the owner of the carriage shall be responsible for any damage caused by any act of such person:

Provided that such owner and such unlicensed driver shall be subject to all the provisions of these Rules for any act done by such driver during such employment in like manner as if such driver had been duly licensed.

(2) No person shall for the purpose of deception use or wear any badge resembling, or intended to resemble, any badge granted under the authority of these Rules.

18. The owner or driver of every hackney carriage shall be entitled to demand and take for the hire of such carriage the fares set forth in the Schedule annexed to these Rules.

<sup>1</sup> Substituted by Notification No 3-J., dated the 10th January, 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 13.

19. The owner of every hackney carriage shall keep affixed in a conspicuous position in the inside of such carriage a table signed and supplied by the Registering Officer, showing the number and class of the carriage and the fares which may be demanded and taken for the hire of such carriage. The table should be printed or written in English and Urdu.

19-A. Whenever the license referred to in Rule 3 shall be defaced or lost, the owner may obtain from the Registering Officer a fresh license on payment of fees at the following rates:—

	H. S.
	Rs.
First class . . . . .	4
Second class . . . . .	3
Third class . . . . .	1

20. Whenever the plate referred to in Rule 14, or the table referred to in Rule 19, shall be defaced or lost, the owner may obtain from the Registering Officer a fresh plate or a fresh table on payment of a fee of Hali Sikka Rs. 2 for the former and the actual cost of the latter plus 2 annas.

21. Every owner or driver of a hackney carriage shall be bound to let such carriage to any person requiring the same, but such carriage shall not be let to any person suffering from small-pox or other infectious disease, and should it come to the knowledge of any owner or driver that his carriage has been used to carry a patient suffering from such disease, he shall on no account permit it to be again brought into use until it has been thoroughly disinfected under such police or medical arrangements as the Registering Officer shall prescribe.

22. Every driver of hackney carriage who shall be drunk during his employment, or make use of insulting or abusive language or gesture, or who shall demand or take more than the proper fare to which he is legally entitled, or who shall refuse to admit and carry in the carriage the number of persons specified to be carried in such carriage or who shall carry more than such number of passengers or who shall before he has been discharged by the hirer, desert from the hiring, shall be liable to the penalty laid down in section 5 of the Hackney Carriage Law, and, in addition, to the revocation or suspension of his license.

23. Any driver who cruelly beats, ill-treats, over-drives, or otherwise misuses any animal driven in a licensed vehicle shall be liable to the revocation or suspension of his license to drive, in addition to any other punishment provided for the offence under any law for the time being in force.

24. The driver or owner of any hackney carriage whose license has been suspended or revoked shall not use the carriage or the animal, as the case may be, until the license shall have been again restored. If

he does so in contravention of this Rule, he shall be liable to the penalty laid down in section 5 of the Hackney Carriage Law.

25. Every owner or letter for hire of a hackney carriage shall have affixed in a conspicuous place in front of the premises where the carriage is for hire a board containing a notice in English and Urdu that hackney carriages are for hire upon the premises.

26. Property left in public conveyances must be at once made over to the officer in charge at the nearest Police Station to be returned to the owner on payment of all reasonable expenses.

27. The Registering Officer may from time to time appoint one or more stands in the Cantonment of Aurangabad for carriages registered under these rules; and no driver shall stand or loiter for the purpose of being hired in any other public place other than an appointed stand.

28. Nothing contained in these rules shall prevent any owner of a registered carriage from contracting for the hire of such carriage by the day or month on such terms as may be arranged between the owner and the hirer.

29. Prosecutions for breach of these rules may be instituted by any passenger, Police Officer, \* \* \* \* \* or by the Registering Officer.

*Schedule of fares for Hackney Carriages in the Cantonment of Aurangabad.*

ITEMS.		H. S.	
First class.		Rs. A. P.	
1. Tonga hire in the Station, 1st hour . . . . .		0	14 0
2. Tonga hire in the Station, every subsequent hour . . . . .		0	8 0
3. Tonga hire in the Station, per day of 8 hours . . . . .		3	12 0
4. Tonga hire in the Station, to or from City and back . . . . .		1	11 0
5. Tonga hire to or from Railway Station (single journey) . . . . .		0	12 0
6. Tonga hire if previously ordered to meet train . . . . .		1	0 0
7. Tonga hire to Roza single journey . . . . .		9	0 0
8. Tonga hire to Roza single and back . . . . .		12	0 0
9. As batta per day outside Cantonment when halting . . . . .		3	0 0
10. As batta per day outside if used locally . . . . .		3	12 0
11. Tonga hire for dinner and back within Cantonment . . . . .		1	12 0
12. Tonga hire for dinner if outside Cantonment . . . . .		3	8 0

<sup>1</sup> Omitted by Notification No. 3-J., dated the 10th January, 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 13.

*Tongas, 2nd Class.*

	H. S.
	Rs. A. P.
<sup>1</sup> [1. From Cantonment to Railway Station for night only	1 3 0
2. From Cantonment to Railway Station and back, for night only . . . . .	1 12 0
3. From Aurangabad to Daulatabad and back . . . . .	5 14 0
4. Per half day of six hours . . . . .	2 6 0
5. Per hour . . . . .	0 10 0
6. Tonga hire in the Station within 3 hours . . . . .	1 3 0
7. For every 3 subsequent hours . . . . .	0 14 0
8. Per day . . . . .	3 8 0
9. To or from City and back . . . . .	1 3 0
10. To or from Railway Station (single journey) . . . . .	0 10 0
11. If previously ordered to meet train . . . . .	1 3 0
12. To Roza (single journey) . . . . .	8 13 0
13. To Roza and back . . . . .	11 11 0
14. As batta per day out-station when halting . . . . .	2 6 0
15. As batta per day if used locally . . . . .	3 8 0
16. For dinner and back within Cantonment . . . . .	1 3 0
17. For dinner and back if outside Cantonment . . . . .	2 6 0

*Country Carts, 3rd Class.*

1. From S. and T. Godown to Assaye or Argaum Lines	0 7 0
2. From S. and T. Godown to Clarence Lines . . . . .	0 9 0
3. From Cantonment to out-station loaded per mile . . . . .	0 4 0
4. Returning empty per mile . . . . .	0 2 0
5. Hire of cart for one day . . . . .	1 3 0
6. To or from Railway Station (single journey) . . . . .	0 10 0 <sup>1</sup>

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 127.]

*Rules for the Residency Bazars.*

No. 18, dated the 17th March, 1900.—The following rules for the regulation of hackney carriages in the Hyderabad Residency Bazars, having been sanctioned by the Resident, are published for general information.

1. Every hackney carriage within the Hyderabad Residency Bazars shall be annually registered by the Superintendent of Residency Bazars.

2. The year of registration shall commence on the first day of January of each year, and every registration made on any date within such year of registration shall be in force to the end thereof, and no longer. The Superintendent, Residency Bazars, shall at the time of registration deliver a license to the owner of every hackney carriage registered as aforesaid.

<sup>1</sup> Inserted by Notification No. 84, dated the 27th September, 1918. *Hyderabad Residency Orders*, 1918, Pt. I, p. 315.

3. Hackney carriages shall be divided into five classes as follows:—  
*Special Class.*—Superior four-wheeled carriages drawn by two horses or two ponies (not under 13-2 hands).

*First Class.*—Four-wheeled carriages drawn by two horses or one horse and superior tongas drawn by two ponies.

*Second Class.*—Inferior tongas drawn by two ponies and superior two-wheeled carriages drawn by one pony.

*Third Class.*—Inferior carriages drawn by one pony and bullock coaches drawn by two bullocks.

*Fourth Class.*—Vehicles drawn by one bullock and country carts drawn by two bullocks.

4. Any person desirous of registering a carriage as a hackney carriage shall apply to the Superintendent, Residency Bazars, and submit such carriages with its horses, ponies or bullocks, and harness for inspection, and the Superintendent, Residency Bazars, shall register it if he is satisfied—

(1) that the carriage is in good order and repair in all its parts and is suitable in appearance;

(2) that it is provided with two good lamps;\*

(3) that the animals are in good working condition and free from any contagious disease, and (in the case of horses) not less than four years old;

(4) that the harness is complete and serviceable;

5. The person in whose name any carriage is registered shall be deemed the owner of such carriage for the purpose of these rules.

6. If the owner of a carriage consider that his vehicle has been wrongly classed by the Superintendent, Residency Bazars, he may appeal to the First Assistant<sup>1</sup> Resident, who shall, if necessary, personally inspect the carriage, and whose decision as to its class shall be final.

7. The following fees shall be payable on registration:—

	H. S. Rs.
Special class . . . . .	12
First class . . . . .	10
Second class . . . . .	7
Third class . . . . .	5
Fourth class . . . . .	3

8. Every license shall set forth—

*1st.*—The class and the number assigned to the carriage in the register.

\* Fourth class vehicles will only be required to have one lamp if proper arrangements are made to fix it on the right side of the vehicle.

<sup>1</sup> Now designated Secretary to the Resident.

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2nd.—The name and residence of the owner of the carriage.

3rd.—The number and description of animal to be employed in drawing such a carriage.

4th.—The number of persons and the weight of property the carriage is licensed to carry <sup>1</sup>[in determining which regard shall be had to the following scale]:—

Class of conveyance.	Description of conveyance.	Drawn by	Number of persons including the driver and syce.	Load.
Special	Landau . . .	2 horses . . .	4 to 6 (a)	..
First . . .	Brougham . . .	2 horses . . .	4 to 6 (a)	..
	Do . . .	1 horse . . .	4 to 6 (a)	..
	Phaeton or Victoria . .	2 horses or 2 ponies . .	4 to 6 (a)	..
	Do do . . .	1 horse . . .	4 to 6 (a)	..
Second . . .	Tonga . . .	2 ponies . . .	4 . . .	..
	Do . . .	1 pony . . .	4 . . .	..
Third . . .	Jhatka . . .	1 pony . . .	4 . . .	..
	Bullock nib . . .	2 bullocks . . .	6 . . .	16 maunds.
	Do . . .	1 bullock . . .	4 . . .	10 ..
Fourth . . .	Country cart . . .	1 bullock . . .	4 . . .	10 ..
	Do . . .	2 bullocks . . .	7 . . .	20 ..

(a) According to the number of seats provided in the vehicle.  
No pony under 12 hands should be licensed.

9. The Superintendent, Residency Bazars, may inspect any carriage registered under these Rules at such time and place as he may appoint after sunrise and before sunset, and may suspend or cancel any license granted whenever it shall appear to him that such carriage or any animal or harness used with such carriage is unfit for public use.

10. The Sanitary Inspector or any Police officer not below the rank of Chief Constable may at any time between sunrise and sunset enter any premises on which licensed vehicles, animals, harness, and other things used therewith are kept in order to carry out any provisions of these rules and the proprietor or his agent shall afford every facility for inspection. But any complaint founded on such inspection shall be laid for orders before the Superintendent, Residency Bazars.

11. Whenever any change shall take place in the ownership of a hackney carriage, if the person to whom such carriage shall have been

<sup>1</sup>These words and the following scale were inserted by Notification No. 28-J., dated the 15th March, 1918. *Hyderabad Residency Orders*, 1918, Pt. I, p. 77.

transferred shall desire to use it as a hackney carriage, he shall before so using it give to the Superintendent, Residency Bazars, notice in writing of such transfer and of his name and place of abode; and the Superintendent, Residency Bazars, on receipt of such notice shall amend the register and license accordingly without the payment of any fee.

No such person shall before giving such notice as aforesaid use such carriage as a hackney carriage.

12. Whenever the owner of a carriage registered under these Rules shall change his residence, or shall cease to ply such carriage for hire, he shall give notice thereof in writing to the Superintendent, Residency Bazars.

13. Upon the registration of any carriage, the Superintendent, Residency Bazars, shall <sup>1</sup>[cause to be painted on a conspicuous part of the outside of such carriage] the class and the number of such carriage in the register and the number of persons it is licensed to carry \* \* \*<sup>1</sup>

Provided that in the case of carriages of the special class and the 1st class it shall be lawful for the Superintendent, Residency Bazars, at his discretion to allow such plate to be affixed inside the carriage, and the brass badge mentioned in rule 15 to be carried by the driver otherwise than on his right arm.

14. No carriage shall be let or used for hire without having a proper <sup>1</sup>[painting] as required by the preceding rule.

15. Every driver of a hackney carriage shall receive a license with a serial number to be entered in a separate register kept by the Superintendent, Residency Bazars, and shall wear a brass badge on his right arm bearing the name and the number of his license. A fee of one rupee shall be payable for the grant of a driver's license and badge. Every driver shall produce his license when required by a Magistrate or other person authorized by the rules in this behalf, and no person shall act as a driver who is not in possession of such badge and license. The transfer or lending of badges and licenses is strictly prohibited.

16. The owner of every hackney carriage shall be responsible for the competence and good behaviour of the driver of such carriage, and the Superintendent, Residency Bazars, may suspend or cancel the license of any hackney carriage the driver of which shall appear to him incompetent or unfit, or under 16 years of age.

17. The owner or driver of every hackney carriage shall be entitled to demand and take for the hire of such carriage the fares set forth in the schedule annexed to these rules.

18. The owner of every hackney carriage shall keep affixed in a conspicuous position in the inside of such carriage a printed table, to be

<sup>1</sup> See Notification No. 86-J. dated the 9th September, 1910. *Hyderabad Residency Orders*, 1910, Pt. I, p. 139.

signed and supplied by the Superintendent, Residency Bazars, showing the number and class of the carriage and the fares which may be demanded and taken for the hire of such carriage. The table should be printed or written in English, Urdu, and Telugu.

19. <sup>1</sup>[If a hackney carriage license, driver's license, driver's badge or fare table be lost or defaced, the following charges will be made for the issue of a duplicate of such license, badge or table:—

	H. S.		
	Rs.	A.	P.
Hackney carriage license . . . . .	0	8	0
Driver's license . . . . .	0	4	0
Driver's badge . . . . .	0	12	0
Fare table . . . . .	0	8	0

The charge for repainting a number will be H. S. Rs. 2.]

20. Every owner or driver of a hackney carriage shall be bound to let such carriage to any person requiring the same, but such carriage shall not be let to any person suffering from small-pox or other infectious disease, and should it come to the knowledge of any owner or driver that his carriage has been used to carry a patient suffering from such disease, he shall on no account permit it to be again brought into use until it has been thoroughly disinfected under such police or medical arrangements as the Superintendent, Residency Bazars, shall prescribe.

No carriage shall be liable for hire for more than nine hours in one day or to be taken more than five miles beyond the limits of the Hyderabad Residency Bazars.

21. Every driver of a hackney carriage who shall be drunk during his employment, or make use of insulting or abusive language or gesture, or who shall demand or take more than the proper fare to which he is legally entitled or who shall refuse to admit and carry in his carriage the number of persons specified to be carried in such carriage, or who shall carry more than such number of passengers, or who shall before he has been discharged by the hirer desert from the hiring, shall be liable to the penalty laid down in the Law and in addition to the revocation or suspension of his license.

22. Any driver who cruelly beats, ill-treats, over-drives or otherwise misuses any animal driven in a licensed vehicle shall be liable to the revocation or suspension of his license to drive in addition to any other punishment provided for the offence under any law for the time being in force.

23. The owner of any hackney carriage against the driver of which a complaint has been made under rules 21 and 22 before a Magistrate

<sup>1</sup> See Notification No. 86-J., dated the 9th September, 1910. *Hyderabad Residency Orders*, 1910, Pt. I, p. 139.



may be summoned to produce the driver, and shall so produce the driver under penalty of the revocation of his license.

24. Any person using a hackney carriage who shall wilfully injure the same, or who shall maliciously or knowingly deface, destroy, or remove any [table] which shall have been affixed under the provisions of rule 18, shall be liable to the penalty laid down in the Law, and shall also pay to the owner any compensation which the Magistrate shall award, and the amount of such compensation shall be recoverable as a fine.

25. Every owner or letter for hire of a hackney carriage shall have affixed in a conspicuous place in front of the premises where the carriage is for hire a board containing a notice in English, Urdu and Telugu that hackney carriages are for hire upon the premises.

26. Property left in public conveyances must be at once made over to the officer in charge at the nearest Police station to be returned to the owner on payment of all reasonable expenses and of such rewards as the Superintendent, Residency Bazaars, may fix.

27. The Superintendent, Residency Bazaars, may from time to time appoint one or more stands in the Hyderabad Residency Bazaars for carriages registered under these rules; and no driver shall stand or loiter for the purpose of being hired in any other public place than at an appointed stand.

28. Nothing contained in these rules shall prevent any owner of a registered carriage from contracting for the hire of such carriage by the day, or month on such terms as may be arranged between the owner and the hirer.

29. Prosecutions for breach of these rules may be instituted by any passenger, Police Officer, member of the Local Fund Committee, or by the Sanitary Inspector.

#### SCHEDULE A.

Class.	Special.	1st	2nd	3rd	4th	REMARKS.
	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	
Per hour up to five hours . . .	1 0	0 12	0 8	0 6	0 4	Rates payable for two passengers or less.
Minimum charges . . . . .	2 8	2 0	1 0	0 12	0 8	
Over five hours up to nine hours . . .	6 0	4 8	3 0	2 4	1 8	
Rate of travelling in { Minimum . . .	6 0	6 0	6 0	4 0	3 0	
{ Maximum . . .	8 0	8 0	7 0	5 0	4 0	

<sup>1</sup> See Notification No. 86-J., dated the 9th September, 1910. *Hyderabad Residency Orders*, 1910, Pt. I, p. 139.

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The following extra fares must be paid for every passenger in addition to the two:—

Class.	Special	1st	2nd	3rd	4th	
	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	
Per hour up to five hours . . .	0 4	0 3	0 2	0 1	0 1	
Over five hours up to nine hours .	1 8	1 2	0 12	0 6	0 6	

NOTE.—The time is to be calculated from the hour at which the hirer requires the carriage to the hour when he discharges it.

The minimum rate of speed at which hackney carriages when hired by time shall be driven shall be—

For special class . . . . .	9 miles an hour.
For 1st and 2nd classes . . . .	6 „ „
For 3rd class . . . . .	4½ „ „
For 4th class . . . . .	3½ „ „

If the hirer requires the carriage to proceed to any place more than five miles beyond the limits of the Hyderabad Residency Bazaars, the fare for such journey shall not be regulated by these rates, but shall be such as may be arranged between the owner and the hirer.

All fares are payable on the discharge of the carriage, unless in the case of cab-proprietors who are willing to keep monthly or other accounts.

### SCHEDULE B.

*Table of fares by distance.* [Not re-printed.]  
[Hyderabad Residency Orders, 1900, Pt. I, p. 77.]

### VACCINATION ACT, 1880.

#### *Rules for Secunderabad.*

*No. 82-P., dated the 28th December, 1923.*—In exercise of the powers conferred on him by section 20 of the Vaccination Act, 1880 (XIII of 1880), as applied to the Cantonment of Secunderabad by the Notification of the Government of India in the Foreign Department, No. 582-I. B.,<sup>1</sup> dated the 22nd March, 1913, and in supersession of the rules published in *Residency Orders* Notification No. 3, dated the 15th January, 1918, the Resident is pleased to make the following rules regulating vaccination in the Cantonment of Secunderabad:—

1. *Circles for the performance of vaccination.*—For the performance of vaccination in accordance with the provisions of Act XIII of 1880,

<sup>1</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed *supra* p. 27.

the local area included within the limits of the Cantonment of Secunderabad shall be divided into five vaccination circles as follows:—

*No. 1 Circle, Station King Edward Memorial Hospital.*

*Boundary. North.*—Main Drain from Banjara Road to Turner Road.

*South.*—Shubrick Road and Ramrajappayya Street.

*East.*—Turner Road.

*West.*—Husain Saugor Tank Bund.

(1) Musa Khan Bazar, (2) Uppargura, (3) Market Street, (4) Chetmi Bazar, (5) Imambaudi, (6) Nala Bazar, (7) Burguchetty Bazar, (8) Rangrez Bazar, (9) Monda Bazar, (10) Nakha Bazar, (11) Tobacco Bazar, (12) Jangam Bazar, (13) Dhal Bazar, (14) Kandoji Bazar, (15) Golaguda, (16) Dhan Bazar, (17) Shubrick Road, (18) DeSauzmarez Street, (19) James Street, (20) Park Lane, (21) Barimpatalam, (22) Tyeralli Street, (23) Ramrajappayya Street, and (24) 1st Nallagutta.

*No. 2 Circle, Station King Edward Memorial Hospital.*

*Boundary: North.*—Shubrick Road from James Street Clock Tower to Chilkalguda Railway Bridge.

*South.*—Kabadigura Road.

*East.*—Railway Land.

*West.*—Husain Saugor Tank Road.

(1) Chilkalguda Bungalows, (2) Bokkalguda, (3) New Bhoigura, (4) Chunambatti, (5) Ghasmandi, (6) Hyterbasti, (7) Chapparband, (8) Ranigunj, (9) Lala Temple, (10) Pan Bazar, (11) Old Bhajimandi, (12) Kunjergura, (13) Old Bhoigura, (14) Chand Khan Street, (15) Burguchetti Bazar, (16) Takarabasti, (17) Durgadas Street, (18) Hisam Ganj, (19) Market Street, (20) Pot Market, (21) Sajanalal Street, and (22) 2nd to 5th Nallagutta.

*No. 3 Circle, Section A, Station Trimulgherry.*

*Boundary: North.*—Trimulgherry.

*South.*—Alexandra Road.

*East.*—British Station Hospital.

*West.*—Lalamiah Hamlets.

(1) Trimulgherry Bazar, (2) Officers Bungalows, (3) Gun Rock, (4) Trimulgherry Village, (5) 108 Bazar, (6) Kharkana, (7) Kakagura, (8) Chuckligura, (9) Picket, (10) Maradpalli Village, (11) Maredpalli Line Bazar and (12) Busareddigura.

*No. 3 Circle, Section B, Station King Edward Memorial Hospital.*

*Boundary: North.*—Alexandra Road from Clock Tower to St. John Church.

*South.*—Main Drain from Market Street to Chilkalguda Railway Bridge.

*East.*—Railway Offices.

*West.*—Market Street north of Main Drain.

(1) Oxford Street, (2) Alexandra Road Bungalows, (3) Regimental Bazar, (4) Francis Street, (5) Sastrulu Street, (6) Kummargura, (7) Paranjoti Street, (8) Second Bazar, (9) Muchibandi, and (10) Turner Street.

*No. 4 Circle, Section A, Station Bowenpalli.*

*Boundary: North.*—Bowenpalli Bungalows and Pension Lines.

*South.*—Tarband and Tavayapur.

*East.*—Cavalry Hospital.

*West.*—Begampet Officers Bungalows.

(1) Bowenpalli Officers Bungalows, (2) Commissary Bazar, (3) Pedda Tokuta, (4) China Tokuta, (5) Kadakpura, (3) Bowenpalli Pension Lines, (7) Begampet Officers Bungalows, (8) Tarband, (9) Tavayapur, and (10) Tarband Bungalows.

*No. 4 Circle, Section B, Station Balamrao.*

*Boundary: North.*—Sapper Lines.

*South.*—Main Drain from Banjara Lane to Somasundaram Mudaliar Street.

*East.*—Oxford Street Clock Tower.

*West.*—Begampet Line Bazar.

(1) Begampet Line Bazar, (2) Gun Bazar, (3) Rasulpura, (4) Balamrai Village, (5) Cumergutta, (6) Sikh Village, (7) Bearer Line, (8) Kutakinda Basti, (9) Tillery, (10) Old Staff Line, (11) McLeodgura, (12) Kalasigura, (13) Somasundaram Mudaliar Street, (14) Hyder Khan Street, (15) a portion of Imambaudi, and (16) Oxford Street and Alexandra Road west of Clock Tower.

*No. 5 Bolarum Circle, Station Court Office.*

*Boundary: North.*—Railway Road. <sup>1</sup>

*South.*—Kaukur Regimental Lines.

*East.*—Risala Bazar. <sup>1</sup>

*West.*—Cavalry Barracks Railway Road.

(1) Doveton Bazar, (2) Chintal Bazar, (3) Sudder Bazar, (4) Kalasigura, (5) Pioneer Bazar, (6) Guddigura, (7) Risala Bazar, (8) Pensionpura, (9) Bolarum Officers Bungalows, (10) Regimental Bazar near Kaukur, (11) Ammugura Bazar, and (12) Cavalry Barracks and Bungalows.

2. *Appointment of vaccine stations.*—The Cantonment <sup>1</sup>[authority] shall from time to time appoint a place or places in each vaccination circle as a public vaccine station or stations, and shall cause to be affixed on the outside of every such place, in a conspicuous position, a signboard, on which shall be printed, in letters easily legible and in the English, Telugu and Urdu characters, the following inscription:—  
“SECUNDERABAD CANTONMENT VACCINE STATION No. .”

3. *Qualification of public vaccinators and of superintendents of vaccination.*—No person shall be appointed a public vaccinator or a superintendent of vaccination unless he has obtained a certificate from the Health Officer of the station or other competent authority that he is duly qualified to perform vaccination as prescribed by Act XIII of 1880.

4. *Authority to appoint, suspend and dismiss public vaccinators.*—The appointment, suspension and dismissal of superintendents and public vaccinators employed within the limits of the Cantonment shall rest with the Health Officer, subject to the approval of the Cantonment. <sup>1</sup>[Authority].

<sup>2</sup>[5. The vaccination season shall be the whole year except the months of May and June unless small-pox is prevalent or an outbreak is threatened in those months.]

6. *Time of attendance of public vaccinators and their residence.*—During the vaccination season public vaccinators shall attend at the vaccine station to which they may be attached by the Health Officer on the days and hours mentioned below, *viz.* :—

At Secunderabad Cantonment Vaccine Station No. 1. on Mondays and Thursdays between the hours of 7 A.M. and 11 A.M.

At Secunderabad Cantonment Vaccine Station No. 2, on Mondays and Thursdays between the hours of 7 A.M. and 11 A.M.

At Secunderabad Cantonment Vaccine Station No. 3, Section A, on Tuesdays and Thursdays between the hours of 7 A.M. and 11 A.M.; Section B, on Mondays, between the hours of 7 A.M. and 11 A.M.

At Secunderabad Cantonment Vaccine Station No. 4, Section A, on Fridays between the hours of 7 A.M. and 11 A.M.; Sec-

<sup>1</sup> Substituted by Notification No. 5-P., dated the 10th January, 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 13

<sup>2</sup> Substituted by Notification No. 5-P., dated the 29th January, 1924. *Hyderabad Residency Orders*, 1924, Pt. I, p. 31.

tion B, on Mondays and Thursdays between the hours of 7 A.M. and 11 A.M.

At Bolaram Cantonment Vaccine Station No. 5, on Wednesdays and Saturdays between the hours of 7 A.M. and 11 A.M.

7. *Distinguishing badge to be worn by public vaccinators.*—The distinguishing badge of a public vaccinator shall be a red cross on a white ground and shall be worn on the breast.

8. *Fee chargeable by private vaccinators and the authority to which they are subject in the performance of their duties.*—Persons licensed by the Local Government to act as private vaccinators shall in no case demand a higher fee than one rupee for a single operation and shall perform their duties under the orders and subject to the general control of the Health Officer.

9. *Facilities for procuring vaccination of children at private houses.*—Persons desirous of procuring the vaccination of their children at their own houses may apply for that purpose to the Superintendent of Vaccination of their circle, who shall thereupon depute an authorised vaccinator to comply with the request.

10. *Grant and form of certificates of successful vaccination, unfitness for or of unsusceptibility of vaccination.*—Whenever it is ascertained that a child is unfit for vaccination or is unsusceptible of successful vaccination, a certificate in Form A attached to these rules shall be granted in the former case to the parent or guardian of such child by the vaccinator, and in the latter in Form B by the Superintendent of Vaccination by whom such child was examined. In like manner, whenever it is ascertained that a child has been successfully vaccinated, a certificate shall be granted by the vaccinator to the parent or guardian of such child in Form C attached to these rules.

11. *Nature of lymph to be used.*—The lymph to be used shall be animal lymph of the best quality.

12. *Fee payable to public vaccinator for vaccinating a child outside his circle.*—A fee of 8 annas shall be payable to a public vaccinator who vaccinates a child at the request of the parent or guardian elsewhere than in the circle to which such vaccinator is appointed.

13. *Registers to be kept up by the Cantonment <sup>1</sup>[Authority].*—The following registers shall be kept up by the Cantonment <sup>1</sup>[Authority]:—

- (a) A register showing the names of children born within the local area subject to these rules on and after the date of the application of Act XIII of 1880, to such area.

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<sup>1</sup> Substituted by Notification No. 5-P., dated the 10th January, 1929. *Hyderabad Residency Orders, 1929, Pt. I, p. 13*

- (b) A register showing the names of unprotected children born in the area aforesaid previous to the date of the application of Act XIII of 1880, and who were at that date under the age of 14 years if boys, and of 8 years if girls.
- (c) A register showing the names of the unprotected boys and girls, respectively, under these ages brought within the local area aforesaid at any time after the application of Act XIII of 1880 and who had resided there for a month.
- (d) A register showing the result of each vaccination or its postponement and the delivery of certificate, if any.

14. The preparation of register (a) shall be effected from the register of births maintained in the Cantonment <sup>1</sup>[Authority] office; of register (b) from information to be collected under the orders of the <sup>1</sup>[Executive Officer], by the Registrar of Births; of register (c) from the information to be collected by the Registrar of Births from the aforesaid register; and of register (d) from the reports submitted by vaccinators for their respective circles as hereinafter prescribed.

15. *Registers to be kept up by vaccinators.*—Every public and private vaccinator employed within the local area to which these rules apply shall keep up the following registers, namely:—

Register A showing—

- (1) Name, sex, age, parentage, caste, and residence of each child vaccinated. <sup>1</sup>
- (2) Date of vaccination. <sup>1</sup>
- (3) Date of inspection of the vaccination.
- (4) Result, whether successful or unsuccessful.
- (5) Date of re-vaccination.
- (6) Date of inspection after re-vaccination.
- (7) Result, whether successful or unsuccessful.

Register B showing—

- (1) Name, sex, age, parentage, caste, and residence of each child produced, but found unfit for vaccination.
- (2) Date of certificate of postponement granted under section 9 of Act XIII of 1880.
- (3) Date on which the child was re-presented for vaccination and the result of inspection.

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<sup>1</sup> Substituted by Notification No. 5-P, dated the 10th January, 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 13.

(4) Date of renewal of postponement certificate, if any.

(5) Remarks.

*N.B.*—If, on the child being re-presented for vaccination, it is found to be in a fit state for that operation, the fact should be recorded in column 3 of Register B, and an entry of the fact of vaccination when performed should be made in Register A, a reference to such entry being made in the column of remarks of Register B, opposite the corresponding entry in the latter.

16. *Preparation of vaccination reports and returns.*—Every public or private vaccinator shall prepare a monthly report during the vaccination season on the general result of the vaccine operations during that period, and shall submit the same, through the Health Officer, to the <sup>1</sup>[Executive Officer] accompanied by a return showing—

- (1) Number of boys vaccinated during the month.
- (2) Number of girls vaccinated during the month.
- (3) Results—
  - (a) Number successful.
  - (b) Number unsuccessful.
  - (c) Number unsusceptible.

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FORM A.

SECUNDERABAD CANTONMENT <sup>1</sup>[AUTHORITY].

VACCINATION STATION NO.

*Certificate of Unfitness for Vaccination.*

I, \_\_\_\_\_, a public (or licensed as the case may be) vaccinator, do hereby certify that in my opinion (name of child) the son (or daughter as the case may be) of \_\_\_\_\_, resident of \_\_\_\_\_, is in a state unfit for vaccination, and that such unfitness will continue during (the whole or if a part, specify the same) the current vaccination season.

(Signed)

Dated \_\_\_\_\_

Vaccinator.

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FORM B.

*Certificate of Unsusceptibility to Successful Vaccination.*

I, \_\_\_\_\_, a Superintendent of Vaccination, do hereby certify that \_\_\_\_\_ the son (or daughter as the case may be) of \_\_\_\_\_,

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<sup>1</sup> Substituted by Notification No. 5-P., dated the 10th January, 1929. *Hyderabad Residency Orders*, 1929, Pt. I, p. 18.



resident of \_\_\_\_\_, has been three times unsuccessfully vaccinated, and that in my opinion he (or she as the case may be) is unsusceptible of successful vaccination.

(Signed)

Dated \_\_\_\_\_

Superintendent of Vaccination.

FORM C.

*Certificate of Successful Vaccination.*

I, \_\_\_\_\_, a public (or licensed as the case may be) vaccinator, do hereby certify that (name of child) the son (or daughter as the case may be) of \_\_\_\_\_, resident of \_\_\_\_\_, was vaccinated by me on the day of \_\_\_\_\_ in the year \_\_\_\_\_ and that, after due inspection, I am satisfied that the vaccination has been successful.

(Signed)

Dated \_\_\_\_\_

Vaccinator.

[Hyderabad Residency Orders, 1923, Pt. I, p. 8.]

*Rules for Aurangabad.*

No. 20-P., dated the 2nd April, 1929.—In exercise of the powers conferred on him by section 20 of the Vaccination Act, 1880 (XIII of 1880), as applied to the Cantonment of Aurangabad, by the Notification<sup>1</sup> of the Government of India in the Foreign Department, No. 582-I. B., dated the 22nd March, 1913, and in supersession of the rules published in *Residency Orders* Notification No. 59, dated the 1st December, 1898, the Resident is pleased to make the following rules regulating vaccination in the Cantonment of Aurangabad:—

1. *Circles for the performance of vaccination.*—For the performance of vaccination in accordance with the provisions of Act XIII of 1880, the local area included within the limits of the Cantonment of Aurangabad shall form one vaccination circle.

2. *Appointment of vaccine stations.*—The Cantonment Authority shall from time to time appoint a place or places in the Cantonment as a public vaccine station or stations, and shall cause to be affixed on the outside of every such place, in a conspicuous position, a sign-board, on which shall be printed, in letters easily legible and in the

<sup>1</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

English and Urdu characters, the following inscription: “ Aurangabad Cantonment Vaccine Station No. ”

3. *Qualification of public vaccinators and of superintendent of vaccination.*—No person shall be appointed a public vaccinator or a superintendent of vaccination unless he has obtained a certificate from the Health Officer of the station or other competent authority that he is duly qualified to perform vaccination as prescribed by Act XIII of 1880.

4. *Authority to appoint, suspend and dismiss public vaccinator.*—The appointment, suspension and dismissal of superintendents and public vaccinators employed within the limits of the Cantonment shall rest with the Health Officer, subject to the approval of the Cantonment Authority.

5. The vaccination season shall be the whole year except the months of May and June unless small-pox is prevalent or an outbreak is threatened in those months.

6. *Time of attendance of public vaccinators and their residence.*—During the vaccination season public vaccinators shall attend at the vaccine station to which they may be attached by the Health Officer on the days and hours fixed by him.

7. *Distinguishing badge to be worn by public vaccinators.*—The distinguishing badge of a public vaccinator shall be a red cross on a white ground and shall be worn on the breast.

8. *Fee chargeable by private vaccinators and the authority to which they are subject in the performance of their duties.*—Persons licensed by the Local Government to act as private vaccinators shall in no case demand a higher fee than one rupee for a single operation and shall perform their duties under the orders and subject to the general control of the Health Officer.

9. *Facilities for procuring vaccination of children at private houses.*—Persons desirous of procuring the vaccination of their children at their houses may apply for that purpose to the superintendent of vaccination, who shall thereupon depute an authorised vaccinator to comply with the request.

10. *Grant and form of certificates of successful vaccination, unfitness for or of unsusceptibility of vaccination.*—Whenever it is ascertained that a child is unfit for vaccination or is unsusceptible of successful vaccination, a certificate in Form A attached to these rules shall be granted in the former case to the parent or guardian of such child by the vaccinator, and in the latter in Form B by the superintendent of vaccination by whom such child was examined. In like manner, whenever, it is ascertained that a child has been successfully vaccinated,

a certificate shall be granted by the vaccinator to the parent or guardian of such child in Form C attached to these rules.

11. *Nature of lymph to be used.*—The lymph to be used shall be animal lymph of the best quality.

12. *Fee payable to public vaccinators for vaccinating a child outside his circle.*—A fee of 8 annas shall be payable to a public vaccinator who vaccinates a child at the request of the parent or guardian elsewhere than in the vaccine station.

13. *Registers to be kept up by the Cantonment Authority.*—The following registers shall be kept up by the Cantonment Authority,

- (a) A register showing the names of children born within the local area subject to these rules on and after the date of the application of Act XIII of 1880, to such area.
- (b) A register showing the names of unprotected children born in the area aforesaid previous to the date of the application of Act XIII of 1880, and who were at that date under the age of 14 years if boys, and of 8 years if girls.
- (c) A register showing the names of the unprotected boys and girls respectively under these ages brought within the local area aforesaid at any time after the application of Act XIII of 1880 and who had resided there for a month.
- (d) A register showing the result of each vaccination or its postponement and the delivery of certificate, if any.

14. The preparation of register (a) shall be effected from the register of births maintained in the Cantonment Authority's Office; register (b) from information to be collected under the orders of the Executive Officer by the Registrar of Births; of register (c) from the information to be collected by the Registrar of Births from the aforesaid register; and of register (d) from the reports submitted by vaccinators as herein-after prescribed.

15. *Register to be kept up by vaccinators*—Every public and private vaccinator employed within the local area to which these rules apply shall keep up the following registers, namely:—

Register A showing:

- (1) Name, sex, age, parentage, caste, and residence of each child vaccinated.
- (2) Date of vaccination.
- (3) Date of inspection of the vaccination.
- (4) Result, whether successful or unsuccessful.
- (5) Date of re-vaccination.
- (6) Date of inspection after re-vaccination.

(7) Result, whether successful or unsuccessful.

Register B showing :

- (1) Name, sex, age, parentage, caste, and residence of each child produced but found unfit for vaccination.
- (2) Date of certificate of postponement granted under section 9 of Act XIII of 1880.
- (3) Date on which the child was re-presented for vaccination and the result of inspection.
- (4) Date of renewal of postponement certificate, if any.
- (5) Remarks.

*N.B.*—If on the child being re-presented for vaccination it is found to be in a fit state for that operation, the fact should be recorded in column 3 of Register B, and entry of the fact of vaccination when performed should be made in Register A, a reference to such entry being made in the column of remarks of Register B opposite the corresponding entry in the latter.

16. *Preparation of vaccination reports and returns.*—Every public or private vaccinator shall prepare a monthly report during the vaccination season on the general result of the vaccine operations during that period, and shall submit the same, through the Health Officer, to the Executive Officer accompanied by a return showing :

- (1) Number of boys vaccinated during the month.
- (2) Number of girls vaccinated during the month.
- (3) Results,
  - (a) Number successful.
  - (b) Number unsuccessful.
  - (c) Number unsusceptible.

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FORM A.

AURANGABAD CANTONMENT.

VACCINATION STATION No. .

*Certificate of unfitness for vaccination.*

I, \_\_\_\_\_, a public (or licensed as the case may be) vaccinator, do hereby certify that in my opinion (name of child) the son (or daughter as the case may be) of \_\_\_\_\_, resident of \_\_\_\_\_, is in a state unfit for vaccination, and that such unfitness will continue during (the whole or if a part, specify the same) the current vaccination season.

(Signed)

*Dated*

*Vaccinator.*

FORM B.

*Certificate of unsusceptibility to successful vaccination.*

I, \_\_\_\_\_, a superintendent of vaccination, do hereby certify that \_\_\_\_\_ the son (or daughter as the case may be) of \_\_\_\_\_, resident of \_\_\_\_\_ has been three times unsuccessfully vaccinated, and that in my opinion he (or she as the case may be) is unsusceptible of successful vaccination.

(Signed)

Dated \_\_\_\_\_ Superintendent of Vaccination.

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FORM C.

*Certificate of successful vaccination.*

I, \_\_\_\_\_, a public (or licensed as the case may be) vaccinator, do hereby certify that (name of child) the son (or daughter as the case may be) of \_\_\_\_\_ resident of \_\_\_\_\_, was vaccinated by me on the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, and that, after due inspection, I am satisfied that the vaccination has been successful.

(Signed)

Dated \_\_\_\_\_ Vaccinator.  
[Hyderabad Residency Orders, 1929, Pt. I, p. 43.]

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*Rules for the railway lands.*

No. 44, dated the 14th September, 1906.—The following revised rules for the regulation of vaccine operations in the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* made by the Resident under section 20 of the Vaccination Act, 1880 (XIII of 1880), as applied to those lands \* \* are published for general information.

The rules will come into force six weeks from the date of the publication of this notification \* \* \* \* \*

1. *Circulars for the performance of vaccination.*—For the performance of vaccination in accordance with the provisions of the Act, the local area included within the limits of the said railway lands shall be divided into vaccination circles as follows:

- (a) The lands occupied by the Great Indian Peninsula Railway.
- (b) The lands occupied by the Madras Railway.

- (c) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Wadi to Secunderabad.
- (b) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Secunderabad to Kazipet.
- (e) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Kazipet to the frontier of the Hyderabad State and Yellandu.
- (f) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Secunderabad to Nizamabad.
- (g) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Nizamabad to Purna.
- (h) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Purna to Jalna.
- (i) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Jalna, to the frontier of the Hyderabad State.

2. *Superintendent of Vaccination and Vaccinators.*—The Principal Medical Officer of the Nizam's Guaranteed State Railways shall be the Superintendent of Vaccination, and he shall be at liberty to appoint to be vaccinators all apothecaries and hospital assistants of the Company, and any compounders and other persons whom he thinks qualified for the purpose.

3. *Responsibility and powers of Superintendent of Vaccination.*—The Superintendent of Vaccination shall be responsible for the proper enforcement of the provisions of the Vaccination Act (XIII of 1880), as applied and these rules, and he may issue such orders as he may deem necessary for the guidance of vaccinators.

4. *Facilities for procuring vaccination of children at private houses.*—Persons desirous of procuring the vaccination of their children at their own houses may apply for that purpose to the Superintendent of Vaccination, who shall thereupon depute a vaccinator to comply with the request.

5. *Grant and form of certificates of successful vaccination, unfitness for or of unsusceptibility of vaccination.*—Whenever it is ascertained that a child is unfit for vaccination or is unsusceptible of successful vaccination, a certificate in the Form A, attached to these rules, shall be granted, in the former case to the parent or guardian of such child by the vaccinator, and in the latter in the Form B by the Superintendent of Vaccination after such child has been examined by him. In like manner, whenever it is ascertained that a child has been successfully vaccinated, a certificate shall be granted by the vaccinator to the parent or guardian of such child in the Form C, attached to these rules.

6. *Nature of lymph to be used.*—The lymph to be used shall be animal lymph of the best quality.

7. *Register to be kept up by vaccinators.*—Every vaccinator employed within the local area to which these rules apply shall keep up the following registers, namely:—

Register A showing—

- (1) Name, sex, age, parentage, caste, and residence of each child vaccinated.
- (2) Date of vaccination.
- (3) Date of inspection of the vaccination.
- (4) Result, whether successful or unsuccessful.
- (5) Date of re-vaccination.
- (6) Date of inspection after re-vaccination.
- (7) Result, whether successful or unsuccessful.

Register B showing—

- (1) Name, sex, age, parentage, caste, and residence of each child produced, but found unfit for vaccination.
- (2) Date of certificate of postponement granted under section 9 of Act XIII of 1880.
- (3) Date on which the child was re-presented for vaccination and the result of inspection.
- (4) Date of renewal of postponement certificate, if any.
- (5) Remarks.

*N.B.*—If on the child being re-presented for vaccination it is found to be in a fit state for that operation, the fact should be recorded in column 3 of Register B, and an entry of the fact of vaccination when performed should be made in Register A, a reference to such entry being made in the column of remarks of Register B opposite the corresponding entry in the latter.

8. *Preparation of vaccination reports and returns.*—Every vaccinator shall prepare a monthly report on the general result of the vaccine operations during that period, and shall submit the same to the Principal Medical Officer for Railways accompanied by a return showing:—

- (1) Number of boys vaccinated during the month.
- (2) Number of girls vaccinated during the month.
- (3) Results—
  - (a) Number successful.
  - (b) Number unsuccessful.
  - (c) Number unsusceptible.

9. The District Magistrate may call for these reports and returns whenever necessary, and his requisitions for these shall be complied with.

FORM A.

*Certificates of unfitness for vaccination.*

I, \_\_\_\_\_, vaccinator, do hereby  
certify that in my opinion (*name of child*), the son (*or daughter, as the  
case may be*) of  
resident of \_\_\_\_\_, is in a state unfit for vaccination  
and that such unfitness will continue up to the \_\_\_\_\_ day of  
(month).

(Signed)

*Dated*

*Vaccinator.*

FORM B.

*Certificate of unsusceptibility of successful vaccination.*

I, \_\_\_\_\_, the Superintendent of Vaccina-  
tion, do hereby certify that \_\_\_\_\_, the son (*or daughter,*  
*as the case may be*) of \_\_\_\_\_, resident of \_\_\_\_\_,  
has been three times unsuccessfully vaccinated, and that in my opinion  
he (*or she, as the case may be*) is unsusceptible of successful vaccination.

(Signed)

*Dated*

*Superintendent of Vaccination.*

FORM C.

*Certificate of successful vaccination.*

I, \_\_\_\_\_, a vaccinator, do hereby certify that  
(*name of child*), the son (*or daughter, as the case may be*) of \_\_\_\_\_,  
resident of \_\_\_\_\_, was vaccinated by me on the \_\_\_\_\_  
day of \_\_\_\_\_ in the year \_\_\_\_\_,  
and that, after due inspection, I am satisfied  
that the vaccination has been successful.

(Signed)

*Dated*

*Vaccinator.*



NEGOTIABLE INSTRUMENTS ACT, 1881.

*Appointment of Notary Public.*

*No. 83-J., dated the 13th October, 1927.*—In exercise of the powers conferred by section 138 of the Negotiable Instruments Act, 1881 (XXVI of 1881), as applied to the Administered Areas in the Hyderabad State, and in supersession of *Residency Orders* Notification No. 16-J., dated the 23rd February, 1925, the Resident is pleased to appoint the District Munsif, Secunderabad, in virtue of his office, to be a Notary Public under the Act, for the said Areas.

[*Hyderabad Residency Orders*, 1927, Pt. I, p. 175.]

*Rules.*

*No. 1826-I. B., dated the 17th September, 1909.*—In exercise of the power conferred by section 139 of the Negotiable Instruments Act, 1881 (XXVI of 1881), as applied to the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad, by the notification of the Government of India in the Foreign Department, <sup>1</sup>No. 1824-I. B., dated the 17th September, 1909, the Governor General in Council is pleased to direct that the rules published in the notification of the Government of India in the Home Department, <sup>2</sup>No. 1433, dated the 30th September, 1886, shall apply to the aforesaid areas in so far as they may be applicable.

Provided that references to the Local Government shall be read as referring to the Resident at Hyderabad, references to British India or to a Presidency or Province thereof, as referring to the aforesaid areas, and references to the District Judge as referring to the First Assistant<sup>3</sup> Resident.

[*Gazette of India*, 1909, Pt. I, p. 942.]

INDIAN EXPLOSIVES ACT, 1884.

*Hyderabad Residency Explosives Rules, 1914.*

*No. 67-J., dated the 28th August, 1914.*—In exercise of the powers conferred by sections 5 and 7 of the Indian Explosives Act, 1884 (IV of 1884), as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars, the Resident at Hyderabad, with the previous sanction of the Governor General in Council, is pleased to make the following rules to regulate the manufacture, possession, sale and transport of explosives.

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<sup>1</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

<sup>2</sup> *Gazette of India*, 1886, Pt. I, p. 548.

<sup>3</sup> Now designated Secretary to the Resident.

## THE HYDERABAD RESIDENCY EXPLOSIVES RULES, 1914.

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CHAPTER I.

PRELIMINARY.

1. *Short title.*—These Rules may be called the Hyderabad Residency Explosives Rules, 1914.

2. *Supersession of previous notifications; and savings.*—All previous notifications made by the Resident under the said Act are hereby superseded, but all licenses or duplicates granted or renewed, all fees imposed or levied and all powers conferred by or under any notification so superseded, shall, so far as they are consistent herewith, be deemed to have been respectively granted, renewed, imposed, levied or conferred hereunder.

3. *General exemptions.*—Nothing in these rules shall apply—

(i) to the manufacture, possession, sale, packing, or transport of <sup>2</sup>[\* \* \* \*] paper caps for toy pistols <sup>3</sup>[or coloured

<sup>1</sup> Further exemptions are made by section 14 of the Indian Explosives Act, 1884, as applied, which runs as follows:—

*Saving for manufacture, possession, use, sale, transport or importation by Government*—“Nothing in this Act shall apply to the manufacture, possession, use, sale, transport or importation of any explosive—

(a) by order of the Government, or

(b) by any person employed under the Government in the execution of this Act, or as a keeper of a magazine, artizan, soldier, sailor, airman, policeman or otherwise, or enrolled as a volunteer, under the Indian Volunteers Act, 1869, in the course of his employment or duty as such.”

of 1869.

<sup>2</sup> Omitted by Notification No. 78-J., dated the 14th July, 1917. *Hyderabad Residency Orders*, 1917, Pt. I, p. 347.

<sup>3</sup> Inserted by Notification No. 50-J., dated the 23rd June, 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 87.



matches known as Bengal lights], under such conditions and in such quantities as the Resident at Hyderabad, or, in the case of transport by rail, the Railway Board, on the recommendation of the Chief Inspector of Explosives, may from time to time determine;

\* \* \* \* \*

(iv) to the packing, or transport of capped safety cartridge cases, if otherwise empty, when packed, or transported in the same consignment with arms covered by a license granted under the Hyderabad Residency Bazars and Cantonments Arms Law, 1903;

1\* \* \* \* \*

4. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context:—

(1) “The Act” means the Indian Explosives Act, 1884, as applied<sup>[IV of 1884]</sup> to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars.

(2) “Ammunition” means any explosive when the same is enclosed in any case or contrivance, or is otherwise adapted or prepared, so as to form—

- (a) a cartridge or charge for small-arms, cannon or any other weapon, or for blasting, or
- (b) a safety or other fuze for blasting or for shells, or
- (c) a tube for firing explosives, or
- (d) a percussion-cap, detonator, fog-signal, shell, torpedo, war-rocket, or any other contrivance other than a fire-work:

(3) “Authorized explosive” means an explosive included in a list of authorized explosives prepared by the Chief Inspector of Explosives with the Government of India and in force for the time being.

(4) “Chlorate-mixture” means any explosive containing a chlorate.

(5) “Detonator” means a capsule or case which is of such strength and construction, and contains fulminate in such quantity, that the explosion of one capsule or case would communicate the explosion to other like capsules or cases.

(6) “District authority” means the Magistrate of the District.

<sup>1</sup> Omitted by Notification No. 52-J., dated the 21st May, 1928 *Hyderabad Residency Orders*, 1928, Pt. I, p. 72.

<sup>1</sup>[(6a) "District Magistrate" includes, where the Resident so directs, the "Additional District Magistrate" in respect of such area as the Resident may so order.]

(7) "Fulminate" means any chemical compound or mechanical mixture whatever, which, from its great susceptibility to detonation, is suitable for employment in percussion-caps or any other appliance for developing detonation, or which, from its extreme sensibility to explosion and from its great instability (that is to say, readiness to undergo decomposition from very slight exciting causes), is especially dangerous.

(8) "Gunpowder" means gunpowder ordinarily so called.

(9) "Nitrate-mixture" means any preparation, other than gunpowder, which is formed by the mechanical mixture of nitrate with any form of carbon or with any carbonaceous substance not possessed of explosive properties, whether sulphur be or be not added to such preparation, and whether such preparation be or be not mechanically mixed with any other non-explosive substance:

and includes <sup>2</sup>[any explosive containing a perchlorate and not being a chlorate mixture, fulminate or nitro-compound as defined in this rule, and] such explosives as—

Chilworth special powder,

Ammonal,

Bobbinite, and

Westfallite.

(10) "Nitro-compound" means any chemical compound which is possessed of explosive properties or is capable of combining with metals to form an explosive compound, and is produced by the chemical action of nitric acid (whether mixed or not with sulphuric acid), or of a nitrate mixed with sulphuric acid, upon any carbonaceous substance, whether such compound is mechanically mixed with other substances or not.

(11) "Small-arm nitro-compound" means a nitro-compound adapted and intended exclusively for use in cartridges for small-arms.

(12) "Safety cartridge"—

(i) means a cartridge for small-arms, the case of which can be extracted from the small-arm after firing, and which is so closed as to prevent any explosion in one cartridge being communicated to other cartridges; and

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<sup>1</sup> Inserted by Notification No. 53-J., dated the 30th April, 1917. *Hyderabad Residency Orders*, 1917, Pt. I, p. 183.

<sup>2</sup> Inserted by Notification No. 107-J., dated the 6th December, 1919. *Hyderabad Residency Orders*, 1919, Pt. I, p. 818.

- (12) includes a rifle calibre machine-gun cartridge, if it is as described in clause (i) whether it is for use with a machine-gun having chambers identical with those of rifles or with a machine-gun having special chambers:

Provided that the diameter of the cartridge in either case (i) or case (12) does not exceed one inch.

(13) "Safety fuze" means a fuze for blasting which burns and does not explode, and which does not contain its own means of ignition, and which is of such strength and construction, and contains an explosive in such quantity, that the burning of such fuze would not communicate laterally with other like fuzes.

(14) "Testing authority" means the Chemical Examiner or such other officer as the Resident at Hyderabad may appoint in this behalf.

## CHAPTER II.

### CLASSIFICATION OF EXPLOSIVES.

5. *Classes of explosives.*—(1) For the purposes of these rules, explosives shall be classified as follows, namely:—

Class 1	.	.	.	.	.	Gunpowder.
Class 2	.	.	.	.	.	Nitrate-mixture.
Class 3	.	.	.	.	.	Nitro-compound.
Class 4	.	.	.	.	.	Chlorate-mixture.
Class 5	.	.	.	.	.	Fulminate.
Class 6	.	.	.	.	.	Ammunition.
Class 7	.	.	.	.	.	Fire-work.

(2) When any explosive falls within more than one of the said classes, it shall be deemed to belong exclusively to the latest of such classes.

(6) *Division of nitro-compounds.*—Nitro-compounds shall, for the purposes of these rules, be sub-divided as follows, namely:—

(a) Division 1, comprising—

(i) such explosives, as—

Ballistite,	Dynamite,
Blasting gelatine,	Gelatine dynamite,
Carbonite,	Gelignite,
Cordite,	Nitro-glycerine, and

Stonite, and

- (ii) any chemical compound or mechanically mixed preparation which consists either wholly or partly, of nitro-glycerine or some other liquid nitro-compound; and

(b) Division 2, comprising—

- (i) such explosives, as—

Amberite No. 2,	Gun-cotton,
Ammonite,	Picric powder,
Bellite,	Roburite,
Coopal's powder,	Schultz's powder, and
E. C. sporting powder,	Tonite (or cotton powder),
	and

- (ii) any nitro-compound, as hereinbefore defined, which is not comprised in Division 1.

7. *Division of chlorate-mixtures.*—Chlorate-mixtures shall, for the purposes of these rules, be sub-divided as follows, namely:—

(a) Division 1, comprising—

- (i) such explosives, as—

Permonite, and  
Polarite, and

- (ii) any chlorate preparation which consists partly of nitro glycerine or of some other liquid nitro-compound, and

(b) Division 2, comprising—

- (i) such explosives, as—

Cheddite, and  
Steelite, and

- (ii) any chlorate-mixture, as hereinbefore defined, which is not comprised in Division 1.

8. *Division of fulminates.*—Fulminates shall, for the purposes of these rules, be sub-divided as follows, namely:—

- (a) Division 1, comprising such compounds as the fulminates of silver and of mercury, and preparations of those substances, such as are used in percussion-caps, and any preparation consisting of a mixture of a chlorate with phosphorus, or certain descriptions of compounds of phosphorus, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with sulphuret, with or without carbonaceous matter; and

- (b) Division 2, comprising such substances as the chloride and the iodide of nitrogen, fulminating gold and silver, diazobenzol, and the nitrate of diazobenzol.

9. *Division of Ammunition.*—Ammunition shall, for the purposes of these rules, be sub-divided as follows, namely:—

- (a) Division 1, comprising exclusively—

Safety cartridges,  
Safety fuzes for blasting,  
Railway fog-signals, and  
Percussion-caps; and

- (b) Division 2, comprising any ammunition, as hereinbefore defined, which *does not contain* its own means of ignition and is not included in Division 1, such as—

Cartridges for small-arms, other than safety cartridges,  
Cartridges and charges for cannon, shells, mines,  
blasting or other like purposes,  
Shells and torpedoes containing any explosive,  
Fuzes for blasting other than safety fuzes,  
Fuzes for shells,  
Tubes for firing explosives, and  
War-rockets,

which do not contain their own means of ignition; and

- (c) Division 3, comprising any ammunition, as hereinbefore defined, which *contains* its own means of ignition and is not included in Division 1, such as—

Detonators,  
Cartridges for small-arms, which are not safety  
cartridges,  
Fuzes for blasting, which are not safety fuzes,  
Fuzes for shells, and  
Tubes for firing explosives,

containing their own means of ignition.

*Explanations.*—The expression “ammunition containing its own means of ignition” means ammunition having an arrangement, whether attached to or forming part of the ammunition, which is adapted to explode or fire the ammunition by friction or percussion.

The expression “percussion-cap” does not include a detonator.

10. *Division of fire-works.*—Fire-works shall, for the purposes of these rules, be sub-divided as follows, namely:—

(a) Division 1, comprising *fire-work compositions*, that is to say,—

- (i) any chemical compound or mechanically mixed preparation of an explosive or inflammable nature, which is used for the purpose of making manufactured fire-works, and is not included in any of the foregoing definitions,
- (ii) any star, and
- (iii) (except as declared in the proviso to this rule) any coloured fire composition; and

(b) Division 2, comprising *manufactured fire-works*, that is to say, any explosive of Class 1, 2, 3, 4 or 6 and any fire-work composition, when such explosive or composition is enclosed in any case or contrivance, or is otherwise manufactured so as to form a squib, cracker <sup>1</sup>[including Chinese crackers], toy cap or amorce, serpent, rocket (other than a war-rocket), maroon, lance, wheel, Chinese fire, Roman candle, or other article specially adapted for the production of pyrotechnic effects or pyrotechnic signals or sound signals:

Provided that a substantially constructed and hermetically closed metal case, containing not more than one pound of coloured fire composition of such a nature as not to be liable to spontaneous ignition, shall be deemed to be a “manufactured fire-work” and not a “fire-work composition”.

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## CHAPTER IV.

### TRANSPORT.

27. *When license to transport is requisite.*—Explosives required *bonâ fide* for blasting purposes shall not be transported except under and in accordance with a license granted under these rules:

Provided that nothing in this rule shall apply to the transport by the holder of a license in form E <sup>2</sup>[or Form EE] of any of the explosives covered by his license, and of safety fuzes for blasting in such quantities as he may require for his private use.

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<sup>1</sup> Inserted by Notification No. 78-J., dated the 14th July, 1917. *Hyderabad Residency Orders*, 1917, Pt. I, p. 347.

<sup>2</sup> Inserted by Notification No. 71-J., dated the 6th September, 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 162.

*Licenses for the general transport of explosives for blasting.*

28. *Application for license for general transport.*—An application for a license in form 2 (for the general transport of explosives for blasting purposes) shall be in writing and shall state particulars as to the place from which, and the place or places to which, it is desired to transport explosives.

29. *Procedure in granting a license for general transport.*—When the place or places to which explosives are to be transported is or are outside the local limits of the authority of the licensing officer, a copy of the license shall be forthwith sent to the District authority in whose jurisdiction such place is situated.

30. *Procedure in transporting explosives under license for general transport.*—Every consignment of explosives transported under a license in Form 2 shall be accompanied by a pass issued by the licensee in the form prescribed in Form 2; and such pass shall (if the consignment be despatched by rail) be attached to the way-bill or invoice, as the case may be.

31. *Procedure in issuing passes.*—A copy of every pass issued under rule 30 shall forthwith be sent—

- (i) to the licensing authority; and
- (ii) when the place to which the consignment is sent is outside the local limits of the authority of the licensing officer, to the officer indicated in rule 29.

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CHAPTER V.

MANUFACTURE, POSSESSION AND SALE.

*Manufacture.*

32. *When license to manufacture is requisite.*—An explosive shall not be manufactured except under and in accordance with the conditions of a license granted under these rules for such manufacture:

Provided that no license under this rule to manufacture shall be necessary—

- (a) for the making of a small quantity of an explosive for the purpose of chemical experiment and not for practical use or for sale; or
- (b) for the filling for private use, and not for sale, of any safety cartridges to the amount allowed by these rules to be possessed for private use; or

(c) in the case of any person who, holding a license under these rules to possess an explosive—

(i) fills with the said explosive, for sale or otherwise, cartridges for small-arms; or

(ii) by filling cartridges, making charges, or drying, sifting, fitting or otherwise, adapts or prepares the said explosive for use exclusively in his mine or quarry or in some excavation or work carried on by him or under his control.

33. *Conditions to be observed by persons filling cartridges.*—The following conditions shall be observed by every person filling cartridges for small-arms under clause (c) (i) of the proviso to rule 32:—

(a) there shall not be in the room in which such filling is being carried on more than five pounds of gunpowder or small-arm nitro-compound or such quantity of any other explosive as is prescribed by the Resident at Hyderabad in this behalf unless it is made up into safety cartridges;

(b) no work unconnected with the making of cartridges shall be carried on in the said room while such filling is being carried on;

(c) there shall not be in the said room, while such filling is being carried on, any fire or any artificial light, except a light of such construction, position and character as not to cause any danger of fire or explosion;

(d) if filling is done on magazine premises, the said room shall be detached from the magazine, but shall be situated in the immediate neighbourhood thereof and at such distance therefrom as may be specified on the license by the authority granting the same; and

(e) the licensee shall give notice to the authority which granted his license that he intends to carry on such filling of cartridges as is allowed by this rule.

34. *Conditions to be observed by persons adapting or preparing cartridges.*—The following conditions shall be observed by every person adapting or preparing explosives under clause (c) (ii) of the proviso to rule 32:—

(a) there shall not be in the workshop in which such adaptation or preparation is carried on more than one hundred pounds of gunpowder, or such quantity of any other explosive as is prescribed by the Resident at Hyderabad in this behalf;

(b) no work unconnected with such adaptation or preparation shall be carried on in the said workshop while such adaptation or preparation is being carried on;



- (c) the said workshop shall be detached from the magazine or licensed premises, but shall be situated in the immediate neighbourhood thereof and at such distance therefrom as may be specified on the license by the authority granting the same;
- (d) an explosive of one description shall not be converted into an explosive of another description, and an explosive shall not be unmade or resolved into its ingredients; and
- (e) the licensee shall give notice to the authority which granted his license that he intends to carry on such adaptation or preparation as is allowed by this rule.

*Possession.*

35. *When license to possess is requisite.*—An explosive shall not be possessed except under and in accordance with the conditions of a license granted under these rules for possession:

Provided that no license under these rules shall be necessary for the possession—

- (a) of any explosive by a carrier or other person for the purpose of transport, when the same is being kept or transported in accordance with the provisions of Chapter VIII regulating the transport of such explosive; or
- \* \* \* \* \*
- (c) by any person who is lawfully entitled under the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, or the rules for the time being in force thereunder, to possess any explosive coming under the head of ammunition as defined in that Law, of such explosives in such quantities as may be prescribed by the said Law or rules, or, when no quantities are so prescribed, in reasonable quantities for his own private use; or
  - (d) by any person, of explosives under and in accordance with the conditions of a permit granted under rule 68, rule 69, or rule 71; or
  - (e) by any person, of manufactured fire-works in any quantity not exceeding fifty pounds,  
when the same are obtained and intended by such person for immediate use and not for sale and are possessed by him for a period not exceeding fourteen days, and when they are kept in a substantial receptacle which is exclusively appropriated to the keeping of explosives and is closed and

secured so as to prevent unauthorized persons from having access to the explosives; or

- (f) by any person for his own private use and not for sale, of—
- (i) gunpowder in any quantity not exceeding thirty pounds; or
  - (ii) safety cartridges made with gunpowder and containing in all not more than one hundred and fifty pounds of gunpowder; or
  - (iii) cartridges (non-safety) for small-arms, made with gunpowder and containing in all not more than five pounds of gunpowder; or
  - (iv) cartridges for cannon or blasting, made with gunpowder, and not containing their own means of ignition, and containing in all not more than thirty pounds of gunpowder; or
  - (v) cartridges for small-arms, made with small-arm nitro-compound and containing in all not more than ten pounds of small-arm nitro-compound; or
  - (vi) a small-arm nitro-compound in any quantity not exceeding ten pounds; or
  - (vii) percussion-caps; or
  - (viii) safety fuzes for blasting; or
  - (ix) railway fog-signals and flare-lights when kept by a railway company for use on their railway:

Provided that the quantity of explosive kept by any person under clause (f) shall be in substitution of the like quantity by weight of any other explosive which might otherwise be so kept by him and, that the quantity of such other explosive shall be reduced accordingly; and, further, that, if the explosive so kept for private use under this clause is in any other form than that of cartridges for small-arms, the explosive of which the quantity is so to be reduced shall be some explosive other than safety cartridges made with gunpowder.

36. *Saving of general prohibition under the Act.*—Nothing in rule 32 or rule 35 shall be deemed to authorize the manufacture or possession of an explosive in contravention of any prohibition notified under section 6 of the Act, and for the time being in force.

#### *Sale.*

37. *When license for sale is requisite.*—An explosive shall not be sold except under and in accordance with the conditions of a license granted under these rules for such sale:

Provided that this rule shall not apply to the sale by any person of an explosive which he is lawfully entitled to possess for his own private use to any person who is lawfully entitled to possess the same.

## CHAPTER VI.

### MAGAZINES.

38. *Procedure in applying for license in Form J.*—An applicant for a license to possess explosives (other than an explosive of the 5th Fulminate class) in, and to sell explosives from, a magazine (other than a floating magazine) shall submit to the District authority an application in Form G in Schedule III, and shall comply with the conditions embodied therein.

39. *Issue of notices to objectors to the site of the magazine.*—Upon receipt of the said application the District authority shall forthwith cause notice to be published of such application and of the time and place at which he will be prepared to hear it, and calling upon any person objecting to the establishment of the magazine on the proposed site to give notice of such objection to him and to the applicant not less than seven clear days before the day fixed for hearing the application, together with his name, address and calling, and a short statement of the grounds of his objection.

The day of hearing the application shall be a day following soon after the expiration of the period of one month referred to in rule 41.

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41. *Publication of notices.*—The notice under rule 39 shall be published at the expense of the applicant, by the District authority not less than one month before the said day of hearing.

42. *Inquiry into objections.*—On the day fixed for the hearing, or any day to which such hearing may be adjourned from time to time, the District authority shall hear any objections preferred in accordance with rule 39, and shall make such inquiry as he may deem necessary.

43. *Report on completion of inquiry.*—On completion of the inquiry the District authority shall forward the application (accompanied by a draft license in Form J of Schedule III) to the Chief Inspector of Explosives together with a report stating whether he—

- (a) disapproves of the proposed site for the magazine, or
- (b) approves of the proposed site either unconditionally or subject to any such restrictions or precautions as he considers necessary.

44. *Procedure to be observed by the Chief Inspector of Explosives on receipt of report.*—The Chief Inspector of Explosives shall forward to the applicant a statement in Form H in Schedule III, showing the distances which should, in his opinion, be kept clear round the magazine. Such distances should ordinarily be those specified in the table annexed to these rules.

45. *Submission of application to the licensing authority.*—The said Form H shall be returned, with the third column duly filled in, by the applicant to the Chief Inspector of Explosives, who shall submit it to the licensing authority with his recommendations and with the draft license and a statement in Form I showing the distances which, after considering any representation made by the applicant when returning Form H to him, he considers should be kept clear round the magazine.

46. *Grant of license.*—The licensing authority may thereupon grant the license as applied for with such modifications or restrictions (if any) as may be deemed proper, or may reject the application.

47. *Procedure on grant of license.*—A copy of every license granted under rule 46 shall be forwarded to the Chief Inspector of Explosives, and the original license shall be forwarded to the District authority if the license has not been granted by him.

48. *Endorsement of license.*—The District authority when satisfied that all the conditions prescribed in the license in regard to the magazine have been complied with, shall forthwith endorse the license, and unless and until so endorsed the license shall not come into force.

If it is decided not to endorse a license the District authority shall forthwith inform the Chief Inspector of Explosives and the licensing authority (if the license has not been granted by the District authority).

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## CHAPTER VII.

### LICENSES AND PERMITS.

#### *Grant of Licenses.*

49. (1) *Forms of licenses, licensing authorities and fees.*—Licenses for the transport, manufacture, possession and sale of an explosive may be granted by the licensing authorities set forth in Schedule II in the Forms, for the purposes, subject to the conditions and on payment of the fees specified therein.

(2) *Validity of license.*—Licenses granted in accordance with the provisions of these rules shall be valid for such period as is specified in column 7 of Schedule II.

50. *Conditions under which licenses are held.*—(1) Every license granted under these rules shall be deemed to be granted subject to the conditions contained therein.

<sup>1</sup>[(2) Such conditions shall comprise all those specified in the prescribed form and such further conditions as the licensing authority may impose.]

(3) Such conditions shall, in the case of a license granted by the Governor General in Council to manufacture any explosive in any quantity, include all the conditions prescribed under these rules and in the Forms of license for possessing such explosive in such quantity:

Provided that, notwithstanding anything contained in clause (2) or clause (3), the Resident at Hyderabad or the Governor General in Council, as the case may be, may, on the recommendation of the Chief Inspector of Explosives, dispense with any of the conditions specified in the prescribed form of a license.

#### *Amendment of licenses.*

51. *Amendment of licenses.*—(1) Provided that these rules are otherwise complied with, every license granted under them may be amended by the authority granting such license.

(2) A licensee who desires to have his license amended shall submit it to the District authority with an application stating the nature of the amendment and the reasons for it. The District authority, in cases in which the original license was not granted by him, shall forward the license and the application with his recommendation to the licensing authority direct, or, if the license to be amended is in Form J or Form K, through the Chief Inspector of Explosives:

Provided that the Chief Inspector of Explosives shall be consulted before a license in Form J originally granted by the District authority is amended.

(3) No fee shall be charged for the amendment of a license.

#### *Renewal of Licenses.*

52. *Renewal of licenses issued by the Governor General in Council.*—The Resident at Hyderabad may, from time to time, renew, on the same or on altered conditions, any license granted by the Governor General in Council for the manufacture of explosives:

Provided as follows:—

(i) no such renewal shall admit of the manufacture of any explosive other than that specified in the original license;

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<sup>1</sup> Substituted by Notification No. 110-J., dated the 26th November, 1926. *Hyderabad Residency Orders*, 1926, Pt. I, p. 200.

(ii) every such renewal shall first be approved by an Inspector of Explosives; and

(iii) every such renewal shall be for a period not exceeding one year.

53. *Renewal of licenses in Form J.*—(1) The authority granting a license in Form J may renew such license on the same or altered conditions.

(2) A licensee who desires such renewal shall, within the period specified in rule 56, submit the license to the Chief Inspector of Explosives with a written application stating the quantity and description of explosives for the storage of which he desires the license to be renewed.

(3) On receipt of such application the Chief Inspector of Explosives shall, if there is any proposed variation in the particulars of the license, and if he considers it necessary to do so, send to the applicant a statement in Form H in Schedule III hereto annexed, showing the distances which should, in his opinion, be kept clear round the magazine.

(4) The procedure prescribed in rules 45 to 48 shall then be followed, so far as it is applicable.

54. *Renewal of licenses not provided for in rule 52 or rule 53.*—Every license for the manufacture, possession or sale of explosives not provided for in rule 52 or rule 53 may, unless the circumstances have so changed that the grant of a new license either would not be authorized under the Act and these rules, or is deemed objectionable by the licensing authority, be renewed on application made within the period specified in rule 56.

55. *Renewal of license for general transport for blasting explosives.*—Every license for the general transport of explosives may be renewed by the authority granting such license.

56. *Time for making application for the renewal of a license.*—Every application for the renewal of a license shall be made at a date not less than thirty days before the date on which the original license expires, and if the application is so made, the magazine or premises shall be held to be duly licensed or the transport license shall be held to be duly granted until such date as the licensing authority issues the renewed license or until an intimation that the renewal of the license is refused has been communicated to the applicant.

57. *Fee chargeable on renewal of license.*—The fee chargeable for renewing any license shall be the fee originally chargeable under these rules on such license.

#### *Expiration of licenses.*

58. *Procedure on expiration or forfeiture of license.*—A person licensed to manufacture, possess or sell any explosive shall on the expira-

tion or forfeiture of his license, forthwith give notice to the District authority of the description and quantity of explosives in his possession, and shall comply with any directions which the said District authority may think fit to give in regard to the possession or transport of the same.

59. *Issue of temporary license when original has expired or been forfeited.*—(1) On receiving a notice under rule 58 the said District authority may grant for a term not exceeding three months from the date of such expiration or forfeiture, as the case may be, a temporary license for the possession or sale of the actual stock of explosives which is held at the time of the issue of such license.

(2) The fee chargeable on such license shall bear the same proportion to the fee charged on the expired or forfeited license as the period covered by the temporary license bears to a full year.

60. *Death, etc., of licensee.*—(1) When any person holding a license under these rules dies, or is adjudicated an insolvent, or is otherwise disqualified by operation of law from continuing the business in respect of which the license was granted, any person carrying on such business shall forthwith apply to the proper licensing authority for the grant of a new license in his own name for the unexpired portion of the original license.

(2) No person applying for a license under clause (1) shall, during such time as is reasonably necessary for making his application, and during the pendency thereof, be liable to any penalty under the Act or these rules for carrying on the business and acting under the license, so that he otherwise conforms with the provisions of the Act and these rules.

(3) The fee chargeable on such new license shall be one rupee:

Provided that no fee shall be charged on a new license in Form 2 or Form E of Schedule III.

#### *Forfeiture of licenses.*

61. *Liability of license to forfeiture.*—Every license granted under these rules shall be liable to be forfeited by the licensing authority on breach of any of the conditions contained therein, and also by the Resident at Hyderabad if at any time the continuance of the license in the hands of the licensee is deemed objectionable.

#### *General Provisions as to licenses.*

62. *Production of licenses or passes on demand.*—(1) Every person holding a license, or acting under a license, granted under these rules shall be bound to produce the same, or an authenticated copy kept at the magazine or place to which the license applies, when called upon to do so by an Inspector of Explosives, or any Magistrate, or any Police Officer not below the rank of a Police Officer in charge of a police-station; and

(2) Any person in charge of a consignment of blasting materials under cover of a pass, issued by a holder of a license in Form 2 of Schedule III, shall be bound to produce such pass when called upon to do so by any of the officers aforesaid.

(3) Copies of any license may, for the purposes of this rule, be authenticated free of charge by any of the officers aforesaid or by the authority which granted the license.

63. *Validity of license under the Arms Law.*—Any authority granting a license under these rules may, if such authority thinks fit, direct by an order written on the license that it shall have the effect of a like license granted by the like authority under the Hyderabad Residency Bazzars and the Cantonments Arms Law, 1903.

64. *Duplicate license in case of loss of license.*—When a license granted under these rules is lost or destroyed through no fault of the licensee, a duplicate may be granted to the licensee on payment of a fee of eight annas.

65. *Mode of payment of fees.*—All fees chargeable under these rules shall be collected by impressed stamps:

Provided that, when such fees have been made over to any local authority, they shall be collected in such manner as the local authority may from time to time direct.

66. *Discretion of authority empowered to grant, amend or renew licenses.*—Every authority empowered to grant, amend or renew a license may, in its discretion,

- (a) refuse to grant, amend or renew such license, or
- (b) refer the application for orders to the Government (if any) to which it is subordinate.

67. *Executive control over licensing authorities.*—All subordinate authorities acting under this chapter shall perform their duties subject to the control of their executive superiors and of the Resident at Hyderabad.

*Permits for temporary possession of explosives to be granted free of cost.*

68. (1) *Permit for temporary storage of explosives in a magazine in excess of licensed quantities.*—A permit may be granted to the holder of a license in Form J or Form K, to store in his magazine subject to the conditions of his license (except in this respect) and for a period not exceeding one month, any quantity of explosives in excess of that entered in his license.

(2) Such permit shall be granted by the authority who issued the license and only when it is proved to his satisfaction that the excess storage is due to unforeseen circumstances.



69. *Permit for temporary possession of fire-works by non-licensees.*—A permit may be granted to any person to possess, manufactured fire-works in any quantity exceeding fifty pounds but not exceeding two hundred pounds and for any period not exceeding fourteen days, provided that such fire-works are obtained and intended by such person for immediate use and not for sale and are kept in a substantial receptacle which is exclusively appropriated to the keeping of explosives and is closed and secured, so as to prevent unauthorized persons from having access to them.

Such permit shall be granted by a Magistrate of the first class or a Police Officer not below the rank of Assistant or Deputy Superintendent of Police.

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71. *Permit to possess fire-works in excess of licensed quantities.*—A permit may be granted to a holder of a license in Form A, Form B, or Form C to possess, subject to the conditions in his license (except in this respect), any quantity of manufactured fire-works not exceeding one thousand pounds for a period of two days at the time of the Dipavali festival by any Magistrate of the first class or any Police Officer not below the rank of an Assistant or Deputy Superintendent of Police.

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## CHAPTER VIII.

### PRECAUTIONS TO BE OBSERVED IN TRANSPORTING EXPLOSIVES.

#### Part I.—General.

##### *Packing and Marking.*

72. *Prohibition of consignment or conveyance of improperly packed explosives.*—No explosive shall be tendered for conveyance or conveyed unless packed and marked in accordance with the provisions of rules 73 to 77.

73. *Packing of explosives.*—Whatever be the nature of the explosive and to whatever Class it belongs, the following general rules shall be observed:—

(1) The interior of every package shall be free from grit and otherwise clean.

(2) Save as is provided in Schedule IV, there shall not be any iron or steel in the construction of any package unless the same is covered with suitable material, so as effectually to prevent the exposure of such iron or steel.

(3) Every package, when actually used for the packing of one explosive, shall not be used for the packing of any other explosive or any other article or substance :

Provided that this rule shall not prevent the packing of inner packages containing a propellant in an outer package with inner packages containing gunpowder or other propellant :

Provided also that with-ammunition (Division 1) there may be packed in the same package any article which is not of an inflammable or explosive nature, or liable to cause fire or explosion.

(4) Nothing in this rule shall be deemed to prohibit the use of an additional package, whether inner or outer : provided that such additional package shall not be of such character as shall have been prohibited in writing by the Chief Inspector of Explosives.

*Explanations.*—Unless the context otherwise requires—

the expression “outer package” means a box, barrel, case or cylinder of wood, metal or other solid material, of such strength, construction and character, that it will not be broken or accidentally opened, nor become defective or insecure whilst being conveyed, and will not allow any explosive to escape ;

the expression “inner package” means a substantial case, bag, canister or other receptacle, made and closed so as to prevent any explosive from escaping ;

the expression “Propellant” means an authorized explosive of the nitro-compound class adapted and intended exclusively for use as a propelling charge in cannon or small-arms.

74. *Packing of authorized explosives.*—The method of packing authorized explosives of various Classes, respectively, and the maximum amounts which may be packed in any one package shall be those indicated in Schedule IV.

75. *Packing of explosives which are not authorized.*—Explosives which are not authorized explosives shall be packed subject to such special precautions as may be prescribed by the Chief Inspector of Explosives.

76. (1) *Labelling and marking of packages.*—On the outermost package there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, the word “Explosive”, the name of the explosive, the number of the Class and of the Division to which it belongs, and the name of the manufacturer or sender.

(2) In the case of a nitro-compound or of a chlorate-mixture there shall be added the date of manufacture or issue from the factory, or

such sign indicating such date as may be approved by the Chief Inspector of Explosives:

Provided that—

- (a) in the case of cartridges or charges for cannon, shells, mines, blasting or other like purpose, which do not contain their own means of ignition, the marking shall be as for the explosive when not so made up;
- (b) in the case of ammunition (Division 1) (safety fuzes excepted), there shall be added the words “Not liable to explode in bulk”;
- (c) in the case of pin-fire cartridges for pistols, there shall be added the words “Pin-fire cartridges”; and
- (d) in the case of safety fuzes or gunpowder, the word “Explosive” and the number of the Class and Division may be omitted.

(3) Where an outer package contains more than one explosive, the marking above required shall be affixed separately in respect of each explosive so contained.

77. *Relaxation of packing rules.*—To meet special cases the Chief Inspector of Explosives may, by order in writing, subject to such conditions (if any) as he may think fit to impose, relax any of the conditions imposed by rules 73 to 76.

#### *Consignment.*

78. (1) *Despatch of explosives to carrier.*—No person shall forward to any warehouseman or carrier any explosive unless he has given notice to such warehouseman or carrier of his intention to forward such explosive and has received an intimation from such warehouseman or carrier that he is prepared to receive such consignment.

(2) Such notice shall state—

- (a) the name and quantity of the explosive to be conveyed; and
- (b) the name and address of the consignee.

79. *Receipt of explosives by carrier.*—No warehouseman or carrier shall send such an intimation as is specified in rule 78 unless he is prepared to receive it, and

- (a) forthwith to despatch such explosive, or
- (b) to deposit it in an authorized magazine or at a place at which some person is licensed to possess such explosive in such quantity.

*Precautions to be observed in loading and unloading explosives.*

80. *Loading and unloading to be by daylight.*—No explosive shall be loaded on, or unloaded from, any carriage between sunset and sunrise.

81. *Prohibition of naked lights, etc.*—During the loading or unloading of an explosive no person shall, nor shall any person be allowed to, bring into, have or use in, dangerous proximity to such explosive any fire or any article or liquid or substance which is liable to cause or communicate fire or explosion (such as, charcoal, matches or petroleum) or (unless the use of a light is unavoidable) any light :

Provided that when the use of a light for the purposes of loading or unloading is unavoidable a light may be used if it be of such construction and character and in such position as not to cause any danger from fire or explosion.

82. *Prohibition of smoking.*—During the loading or unloading of an explosive no person shall smoke, nor shall be allowed to smoke, on, in or dangerously near to the carriage containing such explosive.

83. *Prohibition of nailed boots, etc.*—During the loading or unloading of an explosive no person wearing boots or shoes with iron or steel nails, heels or tips, shall handle, nor shall be allowed to handle, such explosive.

84. *Method of handling explosives.*—In the loading or unloading of an explosive the casks or packages containing the explosive shall be passed from hand to hand and shall not be rolled along, and they shall not be thrown down or dropped but shall be carefully deposited and stowed.

*Loading.*

85. (1) *Protection of explosives in transit.*—Explosives shall be conveyed whenever possible in the interior of a carriage so enclosed on all sides with wood or metal, as effectually to protect the explosives from communication of fire; and

(2) When they cannot be so conveyed, they shall be completely covered with a painted cloth, tarpaulin or other suitable material so as effectually to protect the explosives from communication of fire.

86. *Maximum consignments allowed.*—The quantity of explosives conveyed in any one carriage shall not exceed two thousand pounds :

Provided that where the explosives are conveyed under the conditions set forth in clause (1) of rule 85, the quantity of explosives may exceed two thousand pounds, but shall not exceed ten tons in any one carriage on a railway or two tons in any one other carriage.

87. *Explosives of different kinds to be kept apart.*—No explosive, which contains its own means of ignition, shall be conveyed in any

carriage which is being used for the conveyance of an explosive not of the same Class and Division, unless it is sufficiently separated therefrom to prevent any fire or explosion which may take place in one such explosive being communicated to another.

88. *Dangers from fire and water to be guarded against.*—Due precautions shall be taken by means of a partition or otherwise, and by careful stowing, to secure any explosive from being brought into contact with, or endangered by, any other article or substance conveyed in the carriage or vessel which is liable to cause fire or explosion; and if the explosive is dangerously affected by water, due precautions shall be taken to exclude water from coming into contact with such explosive.

89. *Protection from naked iron or steel.*—All iron or steel in the interior of the portion of the carriage with which the package containing any explosive is or may come in contact, shall be effectually covered with leather, wood, cloth or other suitable material.

#### *Conveyance.*

90. *Explosives not to be sent by public carriage.*—No explosive shall be conveyed in any carriage plying for or carrying public passengers.

91. *Carriage to be in charge of competent person or persons.*—The carriage conveying an explosive shall be in charge of, and constantly attended by, some competent person, or by a sufficient number of competent persons.

92. *Intoxicated person not to have charge of carriage.*—No person who is intoxicated shall, nor shall he be permitted to, have charge of, or be in, on or attending to, any carriage conveying explosives.

93. *Driving to be careful.*—The person in charge of a carriage or vessel conveying an explosive shall not drive such carriage in a dangerous or negligent manner.

94. *Prohibition of delay in transit.*—If the quantity of explosive conveyed in the carriage exceeds one hundred pounds the person or persons in charge of such carriage shall not stop or delay at any place for a longer time than may be reasonably necessary, nor stop unnecessarily at any place where such stopping would be attended by public danger.

95. *Avoidance of danger by fire, etc.*—No person shall, during the conveyance of an explosive, do any act or thing in relation to the explosive which is liable to cause fire or explosion and is not reasonably necessary for the conveyance of the explosive or for work immediately connected with such conveyance.

96. *Explosives not to be carried across railway bridges.*—No explosive shall be carried otherwise than by rail across any railway bridge

across which reasonable facilities for the conveyance thereof by rail are afforded by the Railway Administration:

Provided that nothing in this rule shall apply to—

- (a) ammunition Class 6, Division 1, in any quantity; or
- (b) any quantity of gunpowder, or of a nitro-compound or of ammunition, Class 6, Divisions 2 and 3, not exceeding five pounds; or
- (c) any quantity of fire-works not exceeding ten pounds.

*Exemptions and savings.*

<sup>1</sup>[97. *Saving as to the conveyance of ammunition and Chinese crackers.*—Nothing in rules 80 to 89 shall apply to ammunition (Division 1) and in the case of the transport by rail of Chinese crackers (Division 2 of class 7-Fire-works) the provisions of rule 89 may be relaxed during the period from July to March inclusive under an order of the District Traffic Officer when the number or size of consignments offering is such that, in his judgment, serious delay would be caused by the observance of the rule: provided that in both instances, all due precautions shall be taken to prevent explosion.]

98. *Saving as to the conveyance of small consignments.*—Nothing in rules 78, 79 and 90 shall apply to the conveyance of—

- (a) any quantity not exceeding five pounds of any explosive other than a fulminate or ammunition (Division 3) or fire-works (Division 1);
- (b) detonators not exceeding two hundred in number and not containing in the aggregate more than three ounces of fulminate:

<sup>2</sup>[(c) ammunition (Division 1) in any quantity.]

Provided that—

- (i) previous notice shall be given to the person in charge of the carriage in which the explosive is intended to be conveyed;
- (ii) all due precautions shall be taken to prevent accidents by fire or explosion;
- (iii) no other explosive shall be carried in the same compartment; and also
- (iv) (in the case of detonators) the consignment shall be covered by a certificate, signed by the consignor, that the quantity

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<sup>1</sup>Substituted by Notification No. 125, dated the 18th December, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 896.

<sup>2</sup>Inserted by Notification No. 90-J., dated the 9th October, 1919. *Hyderabad Residency Orders*, 1919, Pt. I, p. 686.

of fulminate in the consignment does not exceed the amount specified in sub-clause (b).

99. *Saving as to conveyance by railway.*—Nothing in rules 78, 79, 90, 91 and 94 shall apply to the conveyance of any explosive by railway.

100. *Saving of liability of carrier for breach of these rules when consignee, etc., is in fault.*—Where a carrier, is prevented from complying with these rules by the wilful act, neglect or default of the consignor or consignee of the explosive, or other person, or by the improper refusal of the consignee or other person to accept delivery of the explosive, such consignor, consignee or other person who is guilty of such wilful act, neglect, default or refusal shall be liable to the same penalty to which the carrier, is liable for a breach of these rules, and his conviction shall exempt the carrier, from any penalty under these rules.

## Part II.—Railways.

### *Consignment.*

101. *Conveyance by railway.*—Rules 102 to 136 shall apply to the transport of explosives by railway.

102. *Certain explosives not to be consigned.*—No explosive which a Railway Administration shall, by any notice or regulation for the time being in force, notify that they will not receive, shall be brought, sent or forwarded to or upon any railway of the said Railway Administration.

103. *Certificate of packing.*—The consignor shall certify that the explosive has been packed in accordance with the rules in force in the United Kingdom or in British India or these rules.

104. *Notice of the consignment.*—No person shall send for carriage upon any railway any consignment of an explosive unless—

- (1) he has given to the officer in charge of the railway station previous notice in writing (which, at the option of the Railway Administration, may extend to 48 hours) of his intention to send such consignment, and stating—
  - (a) the true name, description, quantity and mode of packing of the explosive proposed to be conveyed, and
  - (b) his own name and address, and also the name and address of the proposed consignee, and
- (2) he has had an intimation in writing from an authorized officer of the railway that such consignment will be received.

105. *Receipt of consignment.*—Consignments of explosives shall be sent to the forwarding station and shall be received by the railway servants only at such times between sunrise and sunset, as the Railway Administration may appoint.

106. *Certificate in case of nitro-compounds and chlorates.*—The consignor shall (in the case of nitro-compounds and chlorate-mixtures)—

- (1) cause the outer packages to be marked with the date of manufacture, and
- (2) attach to the consignment note a certificate, or (provided the original is produced for verification) copy of a certificate (so describing the packages as to render their identification certain) signed by the Chief Inspector of Explosives or an Inspector of Explosives, or, if the certificate is granted at the time when the explosive is imported, by the Chemical Examiner or Analyser—
  - (a) that the explosive is of standard purity, and
  - (b) that (if the explosive be dynamite or any nitro-glycerine compound) there are no signs of exuded nitro-glycerine or of liquefaction.
- (3) The aforesaid certificate shall ordinarily be valid for six months after date: provided that, in the case of dynamite and other nitro-glycerine compounds which are not used as propellants as defined in rule 73—
  - (a) such certificate shall lapse on the 31st July, and
  - (b) a fresh certificate for each conveyance may, at the discretion of the Railway Administration concerned, be demanded during the period from the 1st April to the 31st July (both inclusive) if the original certificate has not been granted later than the 31st March.

107. *Discretion of Railway to refuse improperly-packed explosives.*—The Railway Administration may refuse to receive any packages which they suspect to contain any explosive packed or sent in contravention of these regulations.

108. *Disposal of consignment on arrival at station of departure.*—Every package containing any explosive proposed to be conveyed on any railway shall immediately on arrival at the station be unloaded and placed in a safe place under the special direction of the officer in charge of the station. These packages should not be allowed to stand in the sun.

#### *Loading.*

109. *Maximum quantities to be conveyed in one vehicle.*—The quantity of explosives conveyed in any one vehicle shall not in any case exceed that specified in rule 86 and shall not (unless the vehicle is specially constructed and approved by the Railway Board for the carriage of explosives) exceed two-thirds of the normal load of such vehicle:



Provided that (in the case of explosives of the kinds specified in rule 114) the quantity of explosives shall not—

- (a) where such explosives are stowed in the manner described in clause (1) of that rule, exceed three tons, and
- (b) where such explosives are stowed in the manner described in clause (2) of that rule, exceed five tons.

110. *Prohibition of conveyance with inflammable substances.*—There shall not be conveyed in the same vehicle with any explosive any lucifer or other matches, fuzes, pipe-lights, acids, naphtha, paraffine, petroleum or any other volatile spirit substance liable to give off an inflammable vapour or liable to spontaneous ignition, or to cause or communicate fire or explosion.

111. *Condition of vehicles.*—Vehicles used for the carriage of explosives shall be examined to see that they are spark-proof, and have been cleaned out before they are loaded. Hair-cloth, hides or other suitable materials shall be spread on the floor of the wagon and between each layer of packages, except when the packages are covered with gunny or felt, or contain safety cartridges for small-arms packed in tin-lined service pattern boxes.

112. *Stowing of explosives.*—All packages containing explosives shall be secured in such a way as to prevent concussion when the train is in motion.

113. *Method of stowing of explosives.*—Packages containing explosives other than those referred to in rule 114 shall not be stowed in more than three layers one above the other. But if the packages are in rectangular form and of uniform size (provided they are double packages, and are so secured as to prevent movement during transit) they may be stowed in any number of layers not exceeding five:

Provided that this rule shall not apply to safety cartridges for small-arms packed in tin-lined service pattern boxes.

114. (1) *Method of stowing of high explosives.*—Packages containing dynamite and other blasting explosives of the 3rd (nitro-compound) Class, or explosives of the 4th (chlorate-mixture), 5th (fulminate) Classes or of the 1st Division of the 7th (fire-work) Class shall be stowed in one layer only and secured so as to prevent movement during transit:

(2) Provided that, if the packages of explosives are in rectangular form and are properly secured, so as to prevent movement during transit, they may be stowed in any number of layers not exceeding five.

115. *Locking of vehicles.*—Vehicles shall in every case be locked when loaded with explosives.

*Delivery.*

116. *Delivery to consignee.*—The consignee shall remove the explosives from the receiving station during the twelve hours of daylight following its arrival.

117. *Disposal when consignee fails to take delivery.*—If the consignee does not remove the explosive within the time allowed by rule 116, the Railway Administration may return the explosive to the consignor at his risk and expense.

118. *Protection of explosives pending removal.*—Pending removal by the consignee, or return to the consignor, the explosives shall be kept at a safe distance from the station buildings, and (if unloaded) shall be completely covered with tarpaulins or other suitable material and, if necessary, shall be protected by a police guard.

*Power to open packages.*

119. *Opening of suspected packages.*—The Railway Administration may at any time open or require to be opened at the risk and expense of the consignor any package which is upon any railway and which is suspected to contain explosives packed or consigned in contravention of any of these rules.

120. *Disposal of opened packages.*—The Railway Administration may return to the consignor at his risk and expense the contents of any package which is found during transit to have been packed or consigned in contravention of any of these rules.

*Precautions to be observed during loading and unloading.*

121. *Time of loading and unloading.*—Notwithstanding any thing in rule 80, a small consignment of explosives may be unloaded between sunset and sunrise.

For the purposes of this rule no consignment of more than half a wagon load booked to one station shall be deemed to be a small consignment.

122. *Loading and unloading to be continuous.*—Subject to the provisions of rules 80 and 121, the loading and unloading of explosives when once begun shall be diligently proceeded with until the same is completed.

123. *Place of loading and unloading.*—Vehicles containing explosives shall be loaded and unloaded on sidings at a safe distance from the station buildings.

124. *Loading and unloading of Government explosives.*—All explosives under despatch or receipt by a Government arsenal, depôt or factory

shall be loaded or unloaded by Government servants employed in such arsenal, depôt or factory.

125. *Maximum number of vehicles to be dealt with at a time.*—Not more than five vehicles containing explosives shall be loaded or unloaded at any railway station, at any one time.

126. *Time of transshipment.*—All operations connected with the transshipment of explosives at junction stations shall take place during daylight.

*Marshalling and Shunting.*

127. *Maximum number of vehicles to be hauled in one train.*—Not more than five vehicles containing explosives shall at any one time be hauled in the same train.

128. *Precaution in the case of high explosives.*—No explosive of the 5th (fulminate) Class or of the 3rd Division of the 6th (ammunition) Class, or of the 7th (fire-work) Class shall be carried in the same train with any explosive not of the Class and Division to which it belongs, unless it be sufficiently separated therefrom to prevent any fire or explosion which may take place in one such explosive being communicated to another.

129. *Position of vehicle in the train.*—Vehicles containing explosives shall be placed at the end of the train away from the locomotive, and shall be close-coupled to one another as well as to the adjoining vehicles, and shall be preceded and followed by three vehicles not loaded with explosives or other article or substance of an inflammable nature.

130. *Shunting.*—When the train is being marshalled, vehicles loaded with explosives shall not be shunted by a locomotive, unless they are separated from the engine by not less than three vehicles containing no explosive nor easily inflammable substance :

Provided that nothing in this rule shall apply to the shunting of vehicles specially constructed for the carriage of explosives.

131. *Limit of speed in shunting.*—During the shunting of vehicles containing explosives the speed of all movements shall not exceed five miles an hour; and loose shunts are prohibited.

132. *Superintendence in shunting.*—No shunting shall be carried on save under the superintendence of a duly authorized officer, who shall see to the observance of rules 130 and 131.

*Brakes.*

133. *Brakes.*—If the vehicles employed in the transport of explosives are provided with brakers, other than iron brakes, the brakes thereon shall on no account be worked while the vehicles are running with a train, nor shall brakes, other than iron brakes, on vehicles

immediately adjoining such vehicles, be worked while such vehicles are so running.

*Conveyance by Passenger train.*

134. *Conveyance of explosives by passenger train.*—Save as provided in rule 135, no explosives shall be conveyed by passenger train except—

- (a) safety-cartridges and percussion-caps and safety-fuzes (for blasting), and fog-signals for railway use;
- (b) explosives of the 3rd (nitro-compound) Class other than propellants in the form of cartridges up to the limit of 5 lbs.:

Provided that no detonators are carried in the same compartment;

- (c) detonators to the number of 200 if the amount of fulminate of mercury in the package or packages containing the detonators does not exceed in the aggregate 3 oz. (and a certificate to this effect is tendered by the consignor):

Provided that no other explosive is carried in the same compartment;

- <sup>1</sup>[(d) sporting gun-powder packed in double packages as provided in Schedule IV, so long as the gun-powder is contained in tin canisters containing not more than 5 lbs. each and packed in a stout wooden case with an outer covering of tin or zinc completely spark-proof, or in metal-lined cases of a pattern approved by the Chief Inspector of Explosives. But no outer case shall contain more than 25 lbs. of gun-powder, and the total consignment by one train shall not exceed 80 lbs.]

135. *Conveyance of explosives by mixed train.*—Any explosive may be conveyed by mixed train on any line or section on which goods trains are not running, subject to the following conditions:—

- (1) that not more than one vehicle containing explosives shall be hauled at any one time;
- (2) that such vehicle shall be specially constructed and approved by the Railway Board for the carriage of explosives;
- (3) that there are not less than three vehicles between such vehicle and the engine and between such vehicle and the passenger coaches;
- (4) that such vehicle is close-coupled to the adjoining vehicles; and
- (5) that, immediately on entering a section upon which goods trains are running, such vehicle is detached from the train.

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<sup>1</sup> Substituted by Notification No. 125, dated the 13th December, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 396.

*Exemptions.*

136. *Saving as to cartridges for small-arms.*—Nothing in rules 109, 125 and 127 shall apply to separate consignments of safety-cartridges for small-arms.

CHAPTER IX.

SUPPLEMENTARY.

*Powers of Search and Destruction.*

137. (1) *Powers of search and destruction.*—Any of the officers mentioned in clause (2) may, within the areas specified in that clause, but subject to the provisions of the Hyderabad Residency Bazars and the Cantonments Arms Law, 1903, and of any rules for the time being in force thereunder, in cases to which that Law applies—

- (a) enter, inspect and examine any place, carriage or vessel in which an explosive is being manufactured, possessed, sold or transported under a license granted under these rules, or in which he has reason to believe that an explosive has been or is being manufactured, possessed, sold or transported in contravention of the Indian Explosives Act, 1884 (IV of 1884), as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars or of these rules and may enter, inspect and examine any magazine or place in which explosives are stored under the provisions of rule 24;
- (b) search for explosives therein;
- (c) take samples of any explosives found therein, on payment of the value thereof if payment can be made at the time the samples are taken; and
- (d) seize, detain, remove and, if necessary, destroy or otherwise render harmless any explosive found therein in respect of which he has reason to believe that any of the provisions of the said rules or Act have been contravened.

(2) The officers and areas referred to in clause (1) are:—

Officers.

Areas.

The Chief Inspector and Inspectors of Explosives.

In all parts of the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars.

All District Magistrates.

Within their respective districts.

All Magistrates subordinate to the District Magistrate.

Within their respective jurisdictions.

All Police Officers of rank not below that of Inspector, or, if the Resident at Hyderabad so directs, of Sub-Inspector.

Within the respective areas over which their authority extends.

(3) Whenever the Chief Inspector or any Inspector of Explosives, or any Magistrate subordinate to the District Magistrate, or any Police Officer seizes, detains or removes any explosive under this rule, he shall report the fact to the District authority.

(4) Neither the Chief Inspector nor an Inspector of Explosives, nor any Magistrate subordinate to the District Magistrate nor any Police Officer shall under these rules destroy or otherwise render harmless any explosive without the previous sanction of the District authority unless the matter appears urgent and fraught with serious public danger.

(5) Whenever any officer destroys any explosive or otherwise renders it harmless, he shall take and keep a sample thereof, and shall, if required, give a portion of the sample to the person owning the explosive or having the same under his control at the time of seizure; and whenever any officer other than the District authority so deals with any explosive, he shall report the circumstance to the District authority.

### *Penalties.*

138. *Penalties.*—Whoever commits any offence mentioned in the first column of the following table shall be punishable with fine which may extend to the amount indicated in that behalf in the second column of that table:—

	1	2
	*	*
(3) Transporting blasting material in contravention of rule 27.	One thousand rupees.	
(4) Manufacturing an explosive in contravention of rule 32.	Three thousand rupees.	
(5) Contravening any of the provisions of rules 33 and 34 relating to the manufacture of explosives.	One thousand rupees.	
(6) Possessing an explosive in contravention of rule 35.	One thousand rupees.	
(7) Selling an explosive in contravention of rule 37.	Five hundred rupees.	
(8) Contravening a condition of a license granted under article 10 of Schedule II.	Three thousand rupees.	
(9) Contravening a condition of a license granted under article 4, article 5, article 6, article 8, article 9, article 16 or article 17 of Schedule II.	Five hundred rupees.	
(10) Contravening a condition of a license granted under article 3, article 11, article 12, article 13, article 14 or article 15 of Schedule II.	One thousand rupees.	
(11) Contravening any direction given under rule 58, for the disposal of an explosive.	One thousand rupees.	

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under Acts locally applied.)

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1

2

- (12) Failing to produce a license (or authenticated copy thereof) or pass when called upon to do so under rule 62. Two hundred rupees.
- (13) Contravening any of the provisions of Chapter VIII relating to the transporting of explosives. One thousand rupees.
- (14) Furnishing a false certificate under rules 98, 103, 106 and 134. Two hundred rupees.

*Exemptions.*

139. *Saving as to acts done in emergency, etc.*—Nothing in these rules shall render liable to any penalty any carrier, or warehouseman or the person having charge of any carriage for any act done in breach of these rules, if he proves that by reason of stress of weather, inevitable accident, or other emergency, the doing of such act was, under the circumstances, necessary and proper.

\* \* \* \* \*

SCHEDULE II.

*Incenses (vide rule 49).*

Number.	Form of License. (See Schedule III).	Purpose for which granted	Kinds and maximum quantities of explosives for which granted	Authority entitled to grant license	Fee.	Period for which license is valid.
1	2	3	4	5	6	7
* * * * *						
<i>Transport.</i>						
3	2	For the general transport of explosives required for blasting purposes by a holder of a license in form F, form J or form K, * from the place of storage or the magazine as the case may be to such place or places as the licensing authority may specify.	Any explosive in any quantity.	The District authority of the place from which the explosive is to be transported.	Free of charge	One year from the issue of the license or such less period as the licensing authority may prescribe.
* * * * *						
<i>Manufacture, possession and sale.</i>						
4	A	To manufacture, possess and sell at such place as may be approved by the licensing authority.	(c) Two hundred pounds in all of gunpowder, and small-arm nitro-compound, together with any quantity of explosives contained in ammunition (Division I), or	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">                     Rs.                      Covering the maximum quantity of explosives allowed or any less quantity exceeding one-half such maximum                      20                      Covering half such maximum or any less quantity exceeding one-fourth                      10                      Covering such maximum or any less quantity                      5                 </div> </div>		



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Number.	Form of License (See Schedule III.)	Purpose for which granted.	Kinds and maximum quantities of explosives for which granted.	Authority entitled to grant license.	Fee.	Period for which license is valid.
1	2	3	4	5	6	7
b	B	To possess and sell at such place as may be approved by the licensing authority.	(i) Two hundred pounds of manufactured fireworks, or  (ii) Sixty pounds in all of gunpowder, small-arm nitro-compounds and manufactured fire-works together with any quantity of explosives contained in ammunition (Division I), or  (i) Any such less quantity of any of the said explosives as the licensing authority may think fit to specify in the license.	The District authority.	Where the applicant holds and produces a license in Form III of Schedule IV of the Hyderabad Residency Arms Rules, 1911, free of charge.  Covering the maximum quantity of explosives allowed or any less quantity exceeding one-half such maximum.  Covering half such maximum or any less quantity exceeding one-fourth.  Covering one-fourth such maximum or any less quantity.  Where the applicant holds and produces a license in Form III or Form IV of Schedule IV of the Hyderabad Residency Arms Rules, 1911, free of charge.  Annas 8.	Up till the 31st day of December of the year for which the license is issued.
6	C	To possess at such place as may be approved by the licensing authority.	* * * * *	* * * *	* * * *	
* 8	E	To possess (granted to contractors, cultivators and other persons only when the explosives are proved to the satisfaction of the	One hundred pounds of gunpowder, ten pounds of other explosives and one hundred detonators	The District authority.	* * * *	

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 273  
under Acts locally applied.)**

9	1[E]	Licensing officer to be re-quired <i>bona fide</i> for blasting purposes.)	1 [Fifty pounds of gun- powder.]	The District authority or any Magistrate of the first class or any Magistrate of the 2nd class specially autho- rized by the District Magistrate in this be- half.	Free of charge.
10	Such Form as the Governor in Council may prescribe.	To manufacture [in cases not provided for in Ar- ticle (4).]	Any explosive in any quan- tity.	The Governor-General in Council.	Such fee as the Governor-General in Council may prescribe.
11	F	To possess.	Fulminates	The District authority.	Rs. 5.
12	F	To possess [in cases not provided for in Articles (4), (5), (6), (8), or (9)] at such place as may be ap- proved by the licensing authority.	Any explosive (not being a fulminate) in any quantity not exceeding sixty pounds.		
13	J	To possess [in cases not provided for in Articles (4), (5) (6), (8), (9) or (12)] in a magazine.	Any explosive (not being a fulminate) in any quan- tity.	The Resident at Hy- derabad or such officer as the Res- ident at Hyderabad may authorize in this behalf.	Rs. 15.
14	J	To possess in and sell [in cases not provided for in Article (5)] from a maga- zine.	Any explosive (not being a fulminate) in any quan- tity.		Rs. 20.
15	K	To possess (temporarily) in a floating magazine.	Any explosive (not being a fulminate) in any quan- tity.	The Resident at Hy- derabad.	Rs. 20
16	L	To the holder of a license to possess any explosive to sell such explosive.	Any explosive in any quan- tity.		Rs. 20
17	L	To sell from a magazine in connection with which a license has been granted under Article (13) or (14).	Gunpowder, or small-arm nitro-compound or ammuni- tion (Division I) or fire- works in any quantity.	The District authority.	Rs. 5

Six months from the issue of the license or such less period as the licensing authority may prescribe.

Up till the 31st day of December of the year for which the license is issued.

Substituted by Notification No. 71-J, dated the 6th September, 1927. Hyderabad Residency Orders, 1927, Pt. I, p. 162.

SCHEDULE III.

PRESCRIBED FORMS.

FORM 2.

(Article 3 of Schedule II.)

[FREE OF CHARGE.]

*General license to transport explosives required for blasting purposes.*

(To be granted to holders of licenses in Forms F, J or K contained in Schedule III to the Hyderabad Residency Explosives Rules, 1914.)

A general license is hereby granted to  
to transport explosives required for blasting purposes from  
to the places\* specified below, subject to the conditions hereinafter contained.

\*Places of destination.

The license shall continue in force till the

The

19

(Signature.)



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*Conditions of license.*

1. The license is subject to the Indian Explosives Act, 1884, as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars and to the rules made thereunder.

2. It becomes void on the expiration of the term mentioned, or if a consignment breaks bulk before reaching the place of destination, or if the explosive is taken from or to any place other than the places mentioned in the license.

3. It authorizes the licensee to deliver consignments of explosives required for blasting purposes from and to the places specified in the license: provided—

(i) that the consignee has taken out a license for the possession of such explosives under the Indian Explosives Act, 1884, IV of 1884

as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars;

- (ii) that the quantity of explosives despatched to any consignee is not in excess of the quantity which such consignee is entitled to possess;
- (iii) that each consignment of explosives is covered by a pass in the form appended hereto; and that (when the explosives are transported by rail) such pass shall be attached to the way-bill or invoice (as the case may be);
- (iv) that a copy of the pass issued with each consignment is forthwith sent to the authority granting the license and (in cases where the explosives are being transported to a place beyond the local limits of the jurisdiction of such authority) also to the Magistrate of the District to which the explosives are consigned or to the Commissioner of Police if the explosives are consigned to a Presidency-town or Rangoon;
- (v) that any loss, shortage or theft of explosives in transit is reported without delay to the licensing authority and to the police-station in the jurisdiction of which the loss, shortage or theft is discovered.

#### FORM OF PASS.

[See condition 3 (iii) of License.]

Pass granted by the holder of General Transport License (Explosives) No.                      for the transport of a consignment of explosives required for blasting purposes.

No.

This pass covers                      packages containing (*Description of explosives and weight*).

while in transit from                      to

Name of consignee

No. of consignee's license to possess explosives

Date of despatch of consignment

Approximate date on which consignment should reach its destination.

(Signature.)

Holder of General Transport License No.

FORM A.  
(Article 4 of Schedule II.)

[FEE RUPEES IN STAMPS.]

*License to manufacture, possess and sell gunpowder, or small-arm nitro-compound, or an explosive of the 1st Division of the 6th (Ammunition) Class, or an explosive of the 7th (Fire-work) Class.*

[ Granted by the District Magistrate.]

Name, etc., of licensee and place of residence.	Place of business, factory or shop.	[Description and maximum quantity of explosive to be possessed at any one time.	Description and quantity of explosive to be manufactured during the year.	Date on which license expires.
1	2	3	4	<sup>2</sup> [5]
				The 31st December 19 .

District, } (Signature.)  
19 . } Seal. of

*Conditions.*

1. The license is granted subject to the provisions of the Indian Explosives Act, 1884, as applied to the Cantonments of Secunderabad and IV of 18 Aurangabad and the Hyderabad Residency Bazars and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives manufactured, of all stock in hand, and of all sales, in such form as the Resident at Hyderabad may from time to time direct.

<sup>1</sup> Inserted by Notification No. 52-J., dated the 20th August, 1923. *Hyderabad Residency Orders*, 1923, Pt. I, p. 112.

<sup>2</sup> Column 5 omitted and column 6 renumbered by ditto.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 277  
under Acts locally applied.)

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3. The licensee shall exhibit his stock and his books and records of manufacture and sales to any Magistrate or to any Police Officer duly empowered in this behalf, whenever such Magistrate or officer may call upon him so to do:

Provided that where the license extends only to the manufacture, possession and sale of manufactured fire-works and the quantity permitted to be kept at one time does not exceed fifty pounds, the licensee shall not be required to keep or exhibit records or accounts of the same.

4. (1) The explosive shall be manufactured in a tent or lightly constructed building exclusively appropriated for the purpose and separated from any dwelling-house, highway, street, public thoroughfare or public place by the distance—

(a) in the case of gunpowder or small-arm nitro-compound, of one hundred yards, or

(b) in the case of an explosive of the 1st Division of the 6th (Ammunition) Class, or of the 7th (Fire-work) Class, of fifty-yards.

(2) In the case of filling cartridges for small-arms the operation may, if preferred, be carried out in the upper room of a building to which the conditions in clause (1) as to distance need not apply:

Provided that no more than five pounds of explosive (except such as may be contained in safety cartridges) shall be in the room where the operation is being carried on.

(3) In all other cases the manufacture shall be carried on in a one-storeyed building.

5. The number of persons employed at any one time in manufacture in any one building or room shall not exceed six, and only persons actually manufacturing or superintending manufacture shall be allowed inside the place of manufacture.

6. No iron or steel implements shall be used in manufacture. Only copper, gun-metal or wooden tools are permissible.

7. All explosives, as manufactured, shall be removed without delay to a safe place of storage, and no explosive shall be allowed to accumulate in the place of manufacture.

8. Manufacture shall only be carried on between sunrise and sunset.

9. No smoking or lights shall be allowed in or near a room where explosives are being manufactured.

10. All sales of explosives under this license must be effected on the premises shown on the face of the license.

11. An explosive shall not be sold to any child apparently under the age of fourteen years, nor shall any child under that age be employed in manufacture.

12. (I) The explosives possessed by the licensee shall be kept in one or other or both of the following modes:—

Mode A, that is to say, in a building or excavation, which is detached from any dwelling-house, and is separated by the distances prescribed in condition No. 4\* from any highway, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorized persons from having access thereto and to secure it from danger from without, and is exclusively appropriated to keeping explosives: and

- (a) such a building must be substantially constructed of brick, stone or concrete, or must be a securely constructed fire-proof safe: and
- (b) such an excavation must be formed in solid rock, or earth, or in mine refuse not liable to ignition, and must not open into, from or out of any mine, quarry, tunnel or underground place which is in use for the carrying on of any work or for the employment of any person.

Mode B, that is to say, in a substantial receptacle (whether or not a fire-proof safe) which is closed and secured so as to prevent unauthorized persons from having access thereto, and is exclusively appropriated to the keeping of explosives, and is placed inside a dwelling-house or inside a building which is not itself qualified for the keeping of explosives in Mode A:

Provided that a fire-proof safe shall not be used for the keeping of any explosive other than gunpowder or small-arm nitro-compound and cartridges of the 2nd Division of the 6th (Ammunition) Class (not containing their own means of ignition) and made with gunpowder or small-arm nitro-compound, such as cartridges or charges for cannon or blasting purposes.

13. The maximum quantity of explosives allowed to be kept at the same time shall be the following:—

(1) if the only explosive kept be one or more of the following, namely:—

- (a) gunpowder;
- (b) small-arm nitro-compound; or
- (c) ammunition of the 1st Division of the 6th Class, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
gunpowder and small-arm nitro-compound in all.	Two hundred.	Fifty.
and, in addition, of explosives contained in ammunition of the 1st Division of the 6th Class.	Any quantity.	Any quantity.

\* These distances may be reduced to one-half when the building is surrounded by a traverse as high as the eaves of the building.

(2) if the only explosive kept be manufactured fire-works, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
manufactured fire-works . . .	Two hundred.	Fifty.
(3) in any other case the maximum shall be—		
mixed explosives, including gun-powder, small-arm nitro-compound and manufactured fire-works, etc., in all.	Sixty.	Fifteen.
and, in addition, of explosives contained in ammunition of the 1st Division of the 6th Class.	Any quantity.	Any quantity.

Provided that in each of the three cases above-mentioned the aggregate quantity kept on the premises in Mode A and Mode B together may not in any case exceed the maximum quantity which may be kept in Mode A.

14. With respect to a building or excavation used in Mode A, and a receptacle used in Mode B—

(a) the interior thereof, and the shelves and fittings therein, shall be so constructed, or so lined and covered, as to prevent the exposure of any iron or steel, or the detaching of any grit, iron or steel or similar substance, in such manner as to come into contact with the explosive;

and such interior, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean;

(b) in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom;

(c) all articles or substances of an explosive or highly inflammable nature, and all lights, shall be kept at a safe distance from the explosive, and from any room or part of a building, excavation or receptacle containing the same; and

(d) no person in any such room or part of a building or any such excavation, or any such receptacle, shall have any iron or steel in his possession, or attached to or on his boots or shoes:

Provided that this condition, so far as it relates to the exposure of iron or steel or similar substances, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st Division of the 6th (Ammunition) Class.

15. Any quantity exceeding five pounds of an explosive of the 1st Division of the 6th (Ammunition) Class or of the 2nd Division of the 7th (Fire-work) Class, and of any other explosive exceeding one pound, shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping;



and, when publicly exposed for sale or when sold, the outermost receptacle containing such explosives shall have affixed the name of the explosives in conspicuous characters by means of a brand or securely-attached label or other mark:

Provided that two samples of each kind of fire-work may be exposed for sale without complying with the foregoing clauses of this condition, if such samples be placed in such a position that no light or fire is, or is likely to be, brought near them.

16. (1) Explosives of different descriptions which may be kept under this license, shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other.

(2) Provided as follows:—

(a) Gunpowder, small-arm nitro-compound and safety fuzes belonging to the 1st Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;

(b) the various explosives of the 1st Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;

(c) the various explosives of the 7th (Fire-work) Class, may be kept with each other without any intervening partition or space.

17. \*The licensee shall affix to his shop or place of business a sign-board as required by condition (4) endorsed on Form XI or Form XIII of the Forms prescribed by the Hyderabad Residency Arms Rules, 1911, and shall post up in his shop a copy of section 22 of the Hyderabad Residency Bazars and the Cantonments Arms Law, 1903.

18. \*The licensee shall at the time of purchase endorse upon the license of every purchaser holding a license under Form XVI or XIX of the Forms prescribed by the Hyderabad Residency Arms Rules, 1911, the following particulars, namely:—

(a) the name and address of the person who takes delivery of the articles sold;

(b) the nature and amount of articles sold; and

(c) the date of sale:

and shall append his signature to the endorsement.

19. A similar endorsement shall be made upon the license of every purchaser holding a license under the Explosives Act for the possession of explosives.

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\* These conditions are to be added only when the authority granting this license directs, in pursuance of rule 63, by an order written on the license, that this license shall have the effect of a like license granted under the Hyderabad Residency Bazars and the Cantonments Arms Law, 1903.

FORM B.

(Article 5 of Schedule II.)

[FEE                      RUPEES IN STAMPS.]

*License to possess and sell gunpowder, or small-arm nitro-compound, or an explosive of the 1st Division of the 6th (Ammunition) Class, or an explosive of the 7th (Fire-work) Class.*

[ Granted by the District Magistrate.]

Name, etc., of licensee and place of residence.	Place of business, factory or shop.	<sup>1</sup> [Description and maximum quantity of explosive to be possessed at any one time.]	Date on which license expires.
1	2	3	<sup>2</sup> [4]
			The 31st December 19 .

District, }

19 . }

(Signature.)

Seal.

of

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884, as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives in stock and of all sales, in such form as the Resident at Hyderabad may from time to time direct.

<sup>1</sup> Inserted by Notification No. 52-J., dated the 20th August, 1923. *Hyderabad Residency Orders*, 1923, Pt. I, p. 112.

<sup>2</sup> Column 4 was omitted and column 5 renumbered by ditto.

3. The licensee shall exhibit his stock and his books and records of sales to any Magistrate or to any Police Officer duly empowered in this behalf, whenever such Magistrate or officer may call upon him so to do :

Provided that where the license extends only to the possession and sale of manufactured fire-works and the quantity permitted to be kept at one time does not exceed fifty pounds, the licensee shall not be required to keep or exhibit records or accounts of the same.

4. All sales of explosives under this license must be effected upon the premises shown on the face of the license.

5. An explosive shall not be sold to any child apparently under the age of fourteen years.

6. (1) The explosives possessed by the licensee shall be kept in one or other or both of the following modes:—

Mode A, that is to say, in a building or excavation, which is detached from any dwelling-house, and is separated by the prescribed distances\* from any highway, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorized persons from having access thereto and to secure it from danger from without, and is exclusively appropriated to keeping explosives; and

(a) such a building must be substantially constructed of brick, stone or concrete, or must be a securely constructed fire-proof safe; and

(b) such an excavation must be formed in solid rock or earth or in mine refuse not liable to ignition, and must not open into, from or out of any mine, quarry, tunnel or underground place which is in use for the carrying on of any work or for the employment of any person.

Mode B, that is to say, in a substantial receptacle (whether or not a fire-proof safe) which is closed and secured so as to prevent unauthorized persons from having access thereto, and is exclusively appropriated to the keeping of explosives, and is placed inside a dwelling-house or inside a building which is not itself qualified for the keeping of explosives in mode A :

Provided that a fire-proof safe shall not be used for the keeping of any explosive other than gunpowder or small-arm nitro-compound and cartridges of the 2nd Division of the 6th (Ammunition) Class (not containing their own means of ignition) and made with gunpowder or small-

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\* In the case of gunpowder or small-arm nitro-compound, one hundred yards.

In the case of an explosive of the 1st Division of the 6th (Ammunition) Class or of the 7th (Fire-work) Class, fifty yards :

Provided that these distances may be reduced to one-half when the building is surrounded by a traverse as high as the eaves of the building.

arm nitro-compound, such as cartridges or charges for cannon or blasting purposes.

7. The maximum quantity of explosives allowed to be kept at the same time shall be the following:—

(1) if the only explosives kept be one or more of the following, namely:—

- (a) gunpowder,
- (b) small-arm nitro-compound, or
- (c) ammunition of the 1st Division of the 6th Class, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
gunpowder and small-arms nitro-compound, in all.	Two hundred.	Fifty.
and, in addition, of explosives contained in ammunition of the 1st Division of the 6th Class.	Any quantity.	Any quantity.

(2) if the only explosive kept be manufactured fire-works, the maximum shall be—

manufactured fire-works . . .	Two hundred.	Fifty.
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(3) in any other case the maximum shall be—

mixed explosives, including gunpowder, small-arm nitro-compound and manufactured fire-works, etc., in all.	Sixty.	Fifteen.
and, in addition, of explosives contained in ammunition of the 1st Division of the 6th Class.	Any quantity.	Any quantity.

Provided that in each of the three cases above-mentioned the aggregate quantity kept on the premises in Mode A and Mode B together may not in any case exceed the maximum quantity which may be kept in Mode A.

8. With respect to a building or excavation used in Mode A, and a receptacle used in Mode B—

(a) the interior thereof, and the shelves and fittings therein, shall be so constructed or so lined and covered as to prevent the exposure of any iron or steel, or the detaching of any grit, iron or steel or similar substance, in such manner as to come into contact with the explosive;

and such interior, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean;

(b) in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom;

(c) all articles or substances of an explosive or highly inflammable nature, and all lights, shall be kept at a safe distance from the explosive, and from any room or part of a building, excavation or receptacle containing the same; and

(d) no person in any such room or part of a building, or any such excavation or any such receptacle, shall have any iron or steel in his possession, or attached to or on his boots or shoes:

Provided that this condition, so far as it relates to the exposure of iron or steel or similar substances, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st Division of the 6th Class.

9. Any quantity exceeding five pounds of an explosive of the 1st Division of the 6th (Ammunition) Class or of the 2nd Division of the 7th (Fire-work) Class and of any other explosives exceeding one pound shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping;

and, when publicly exposed for sale or sold, the outermost receptacle containing such explosives shall have affixed the name of the explosives in conspicuous characters by means of a brand or securely-attached label or other mark:

Provided that two samples of each kind of fire-work may be exposed for sale without complying with the foregoing clauses of this condition, if such samples be placed in such a position that no light or fire is, or is likely to be, brought near them.

10. (1) Explosives of different descriptions which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other:

(2) Provided as follows:—

(a) gunpowder, small-arm nitro-compound and safety fuzes belonging to the 1st Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;

(b) the various explosives of the 1st Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;

(c) the various explosives of the 7th (Fire-work) Class, may be kept with each other without any intervening partition or space.

11. \*The licensee shall affix to his shop or place of business a sign-board as required by condition (4) endorsed on Form XII or Form XIV

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\* These conditions are to be added only when the authority granting this license directs, in pursuance of rule 63, by an order written on the license, that this license shall have the effect of a like license granted under the Hyderabad Residency Bazzars and Cantonments Arms Law, 1903.

of the Forms prescribed by the Hyderabad Residency Arms Rules, 1911, and shall post up in his shop a copy of section 22 of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903.

12. \*The licensee shall at the time of purchase endorse upon the license of every purchaser holding a license under Form XVI or XIX of the Forms prescribed by the Hyderabad Residency Arms Rules, 1911, the following particulars:—

- (a) the name and address of the person who takes delivery of the articles sold;
- (b) the nature and amount of the articles sold; and
- (c) the date of sale;

and shall append his signature to the endorsement.

13. A similar endorsement shall be made upon the license of every purchaser holding a license under the Indian Explosives Act, 1884, as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars for the possession of explosives.

### FORM C.

(Article 6 of Schedule II.)

[FEE—EIGHT ANNAS IN STAMPS.]

*License to possess gunpowder or small-arm nitro-compound, or an explosive of the 1st Division of the 6th (Ammunition) Class, or an explosive of the 7th (Fire-work) Class.*

[ Granted by the District Magistrate.]

Name, etc., of licensee and place of residence.	Description and quantity of explosive to be possessed during the year.	Place with full details where explosive is to be possessed.	Maximum quantity of explosive to be kept at any one time.	Date on which license expires.
1	2	3	4	5
				The 31st December 19 .

*District,*

19 .

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(Signature.)

of

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884, as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars and the rules thereunder. IV of 1884

2. The licensee shall keep records and accounts of all explosives in stock, in such form as the Resident at Hyderabad may from time to time direct.

3. The licensee shall exhibit his stock and his books and records to any Magistrate or to any Police Officer duly empowered in this behalf, whenever such Magistrate or officer may call upon him so to do:

Provided that where the license extends only to the possession of manufactured fire-works and the quantity permitted to be kept at one time does not exceed 50 pounds, the licensee shall not be required to keep or exhibit records or accounts of the same.

4. (1) The explosives possessed by the licensee shall be kept in one or other or both of the following modes:—

Mode A, that is to say, in a building or excavation, which is detached from any dwelling-house, and is separated by the prescribed distances\* from any highway, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorized persons from having access thereto and to secure it from danger from without, and is exclusively appropriated to keeping explosives; and

(a) such a building must be substantially constructed of brick, stone or concrete, or must be a securely constructed fire-proof safe; and

(b) such an excavation must be formed in solid rock, or earth, or in mine refuse not liable to ignition, and must not open into, from or out of any mine, quarry, tunnel or underground place, which is in use for the carrying on of any work or for the employment of any person.

Mode B, that is to say, in a substantial receptacle (whether or not a fire-proof safe) which is closed and secured so as to prevent unauthorized persons from having access thereto, and is exclusively appropriated to

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\* In the case of gunpowder or small-arm nitro-compound, one hundred yards.

In the case of an explosive of the 1st Division of the 6th (Ammunition) Class, or of the 7th (Fire-work) Class, fifty yards.

Provided that these distances may be reduced to one-half when the building is surrounded by a traverse as high as the eaves of the building.

the keeping of explosives and is placed inside a dwelling-house, or inside a building which is not itself qualified for the keeping of explosives in Mode A :

Provided that a fire-proof safe shall not be used for the keeping of any explosive other than gunpowder or small-arm nitro-compound and cartridges of the 2nd Division of the 6th (Ammunition) Class (not containing their own means of ignition) and made with gunpowder or small-arm nitro-compound, such as cartridges or charges for cannon or blasting purposes.

5. The maximum quantity of explosives allowed to be kept at the same time shall be the following, namely:—

(1) if the only explosive kept be one or more of the following, namely:—

- (a) gunpowder,
- (b) small-arm nitro-compound, or
- (c) ammunition of the 1st Division of the 6th Class, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
gunpowder, and small-arm nitro-compound, in all.	Two hundred.	Fifty.
and, in addition, of explosives contained in ammunition of the 1st Division of the 6th Class.	Any quantity.	Any quantity.

(2) if the only explosives kept be manufactured fire-works, the maximum shall be—

manufactured fire-works . . .	Two hundred.	Fifty.
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(3) in any other case the maximum shall be—

mixed explosives, including gunpowder, small-arm nitro-compound and manufactured fire-works, etc., in all.	Sixty.	Fifteen.
and, in addition, of explosives contained in ammunition of the 1st Division of the 6th Class.	Any quantity.	Any quantity.

Provided that in each of the three cases above-mentioned the aggregate quantity kept on the premises in Mode A and Mode B together may not in any case exceed the maximum quantity which may be kept in Mode A.



6. With respect to a building or excavation used in Mode A, and a receptacle used in Mode B—

(a) the interior thereof, and the shelves and fittings therein, shall be so constructed, or so lined and covered, as to prevent the exposure of any iron or steel, or the detaching of any grit, iron or steel, or similar substance, in such manner as to come into contact with the explosive;

and such interior, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean;

(b) in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom;

(c) all articles or substances of an explosive or highly inflammable nature, and all lights, shall be kept at a safe distance from the explosive, and from any room or part of a building, excavation or receptacle containing the same; and

(d) no person in any such room or part of a building, or any such excavation, or any such receptacle, shall have any iron or steel in his possession, or attached to or on his boots or shoes:

Provided that this condition, so far as it relates to the exposure of iron or steel or similar substances, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st Division of the 6th Class.

7. Any quantity exceeding five pounds of an explosive of the 1st Division of the 6th (Ammunition) Class or of the 2nd Division of the 7th (Fire-work) Class, and of any other explosive exceeding one pound, shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping.

8. (1) Explosives of different descriptions which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other:

(2) Provided as follows:—

(a) gunpowder, small-arm nitro-compound and safety fuzes belonging to the 1st Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;

(b) the various explosives of the 1st Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;

(c) the various explosives of the 7th (Fire-work) Class, may be kept with each other without any intervening partition or space.

9. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases, and under the vendor's signature, namely:—

- (a) the name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the articles purchased; and
- (c) the date of purchase.

**FORM E.**

(Article 8 of Schedule II.)

*License to possess gunpowder or other explosives required for blasting purposes.*

(Free of charge).

[ Granted by the District Magistrate.]

Name, etc., of licensee.	
Place of residence.	
Place, with full details where explosive is to be possessed.	
Maximum quantity of explosive (not exceeding 100 lbs. of gunpowder and 10 lbs. of other explosives and 100 detonators) to be kept at any one time.	
Date on which license expires.	The 31st December 19 .

*District.*

19 .

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(Signature.)

(Designation.)

<sup>1</sup> Substituted by Notification No. 71-J., dated the 6th September, 1927. Hyderabad Residency Orders, 1927. Pt. I, p. 162.

*Conditions.*

1. The license is granted subject to the provisions of the Indian Explosives Act, 1884, and the rules thereunder. 14 of 18

2. The licensee shall keep a register of all receipts and issues in such form as the Local Government may from time to time direct. He shall exhibit his stock and register to any Magistrate or to any Police Officer duly empowered in this behalf, whenever such Magistrate or officer may call upon him so to do.

3. The explosive shall be kept in a substantially constructed non-flammable building approved by such officer as the Local Government may prescribe, or in a fire-proof safe separated from any dwelling-house, highway, street, public thoroughfare or public place by a distance of 50 yards and made and closed so as to prevent unauthorized persons from having access thereto, and to secure it from danger from without.

4. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosive and from any room or part of a building or fire-proof safe, containing the same, and no person entering such room or part of any building or such safe shall have any iron or steel in his possession or attached to or on his boots or shoes.

5. Neither the building exclusively appropriated for the purpose of keeping the explosive, nor the fire-proof safe referred to above, shall have any exposed iron or steel in the interior thereof:

Provided that this condition shall not be obligatory in a building, or fire-proof safe, in which no explosives other than safety cartridges, safety fuses for blasting, railway fog signals and percussion-caps are kept.

6. Gunpowder or other explosives exceeding one pound in quantity shall be kept in a substantial case, bag, canister or other receptacle made and closed so as to prevent the explosives from escaping.

7. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature:—

- (a) the name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the articles purchased; and
- (c) the date of purchase.

8. All losses, shortage of stock or thefts of explosives shall be reported without delay to the nearest police-station.

FORM EE.

(Article 9 of Schedule II.)

*License to possess gunpowder required for blasting purposes.*

(Free of charge.)

[ Granted by the District Magistrate.]

Name, etc., of licensee.	
Place of residence.	
Place, with full details, where gunpowder is to be possessed.	
Maximum quantity of gunpowder (not exceeding 50 lbs.) to be kept at any one time.	
Date on which license expires.	The 31st December 19 .

District.

19 .

}



(Signature.)

(Designation).

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884, and the rules thereunder.

2. The gunpowder shall be kept, within a building, in a substantial case, bag, canister or other receptacle made and closed so as to prevent the gunpowder from escaping and unauthorized persons from having access thereto, and secured from danger from without.

3. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the gunpowder and from any room or part of a building, fire-proof safe, or receptacle containing the same, and no person entering such room or part of any build-

<sup>1</sup> Substituted by Notification No. 71-J., dated the 6th September, 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 162.

ing or such safe or receptacle shall have any iron or steel in his possession or attached to or on his boots or shoes.

4. The receptacle in which the gunpowder is kept shall not have any exposed iron or steel in the interior thereof.

5. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature:—

(a) the name and address of the person who takes delivery of the articles purchased;

(b) the nature and amount of the articles purchased; and

(c) the date of purchase.

6. All losses, shortage of stock or thefts of gunpowder shall be reported without delay to the nearest police-station.

### FORM F.

(Article 12 of Schedule II.)

[FEE—FIVE RUPEES IN STAMPS.]

*License to possess explosives generally (other than fulminates).*

[ Granted by the District Magistrate.]

Name, etc., of licensee, and place of residence.	Place of business or shop.	Description of explosives.	Maximum quantity of explosive (not exceeding sixty pounds) to be possessed at any one time.	Date on which license expires.
1	2	3	4	5
				The 31st December 19

District,

19

}



(Signature.)

of

*Conditions.*

V of 1884. 1. This license is granted subject to the provisions of the Indian Explosives Act, 1884, as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives in stock and of all issues in such form as the Resident at Hyderabad may from time to time direct.

<sup>1</sup>[2A. The licensee shall exhibit his stock and his books and records to any Magistrate or to any Police Officer duly empowered in this behalf, whenever such Magistrate or officer may call upon him so to do.]

3. The explosives shall be kept in a substantially constructed building <sup>1</sup>[approved by such officer as the local Government may prescribe] which is exclusively appropriated for the purpose, and is detached from any dwelling-house, and is situated at a safe distance from any highway, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorized persons from having access thereto and to secure it from danger from without.

4. The doors of the building shall open outwards and shall be faced on the outside with iron plating a quarter of an inch thick. They shall be closed by means of a lock or bolt on the inner side of such make or design as shall be approved by the licensing authority, and so placed that it shall be inaccessible from the outside except by means of its own key. The lock or bolt shall be made of some metal other than iron or steel.

5. All windows in the building shall be closed by shutters which open outwards but which cannot be opened from outside. The shutters shall be faced on the outside with iron plating a quarter of an inch thick.

6. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosives and from any building or receptacle containing the same.

7. No building exclusively appropriated for the purpose of keeping the explosives, and no receptacle in which the explosives are kept, shall have any exposed iron or steel in the interior thereof.

8. All explosives exceeding one pound in quantity shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping.

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<sup>1</sup> Inserted by Notification No. 71-J., dated the 6th September, 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 162.

9. Explosives of different descriptions which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other.

10. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases, and under the vendor's signature, namely:—

- (a) the name and address of the person who takes delivery of the articles purchased;
- (b) the nature and amount of the articles purchased; and
- (c) the date of purchase.

11. All losses, shortage of stock or thefts of explosives shall be reported without delay to the nearest police-station.

#### FORM G.

[See rule 38.]

*Form of application for a license for possession of explosives (other than fulminates) in, and sale from, a Magazine.*

1. Applicant's Name . . . . .	<i>The replies to be written in this column.</i>
„ Calling . . . . .	
„ Address . . . . .	
<p>NOTE.—In cases where the application is made on behalf of a company, the name, calling and address of the company, and the name of the manager or agents, should be given.</p>	
2. Situation of the proposed magazine—	
Province . . . . .	
District . . . . .	
Village . . . . .	
3. Explosive proposed to be stored—	
Class . . . . .	
Division (if any) . . . . .	
Name and description . . . . .	
<p>NOTE.—The Class and Division (if any) stated should be in accordance with the classification in Chapter II.</p>	
4. Draft license containing the terms which the applicant proposes to have inserted, and specifying such of the matters stated below as are applicable.	
<p>NOTE.—A draft license must be attached to this application and must be accompanied by a plan of the proposed magazine and of the site, with the boundaries thereof drawn to scale.</p>	

FORM G.—Contd.

The plan should also show the distance from the proposed magazine of the room (if any) to be used in connection therewith for the filling of cartridges for small-arms with explosives, in pursuance of rule 83 and of the workshop (if any) to be used in connection therewith for the adaptation or preparation of explosives, in pursuance of rule 84; and, if both a room and workshop are to be used, the distance of the room from the workshop.

The matters referred to above, and required (so far as applicable) to be specified, are as follows:—

- (a) the boundaries of the land forming the site of the magazine, and either any belt of land surrounding the site which is to be kept clear, and the buildings and works from which it is to be kept clear, or the distance to be maintained between the magazine or any part thereof and other buildings and works (for buildings and works here referred to, see 1st column of table of distances appended to these rules);
- (b) the situation, character and construction of all the mounds, buildings and works on or connected with the magazine, and the distances thereof from each other;
- (c) the nature of the work, if any, to be carried on in connection with the magazine and the place at which such work is to be carried on, and the places in the magazine at which explosives, and any articles liable to spontaneous ignition, or inflammable or otherwise dangerous, are to be kept;
- (d) the situation of each building forming part of the magazine in which the explosive is to be kept, and the maximum amount of explosive to be kept in each such building; and
- (e) any special terms which the applicant may propose by reason of any special circumstances arising from the locality, the situation or construction of any buildings or works, or the nature of any process or otherwise.

Remarks . . . . .

(Signature of applicant)

(Postal address of applicant)

(Date of application)



FORM H.

[See rule 44.]

*Distances to be kept clear round a Magazine.*

*Distances from the Magazine proposed to be established at* { Province  
District  
Village

To be kept clear<sup>\*</sup> from the undermentioned buildings and works.

Buildings and works.	Distances to be kept clear not less than.	Reply.	Remarks.
1	2	3	4
Room used in connection with the magazine, in pursuance of rule 33.	yards.		
Workshop used in connection with the magazine, in pursuance of rule 34.†	"		
Private railway . . . . .	"		
Highway or public footpath . . . . .	"		
Open air public meeting place (such as a market).	"		
Canal or navigable water . . . . .	"		
Dock . . . . .	"		
River wall . . . . .	"		
Pier or jetty . . . . .	"		
Reservoir or bunded tank . . . . .	"		
Room or workshop in connection with another magazine, store or licensed premises	"		
Any other room or workshop or any shop	"		
Any other explosive magazine, or store for explosives.	"		
Furnace, kiln or chimney . . . . .	"		
Public railway . . . . .	"		
Dwelling-house, with the consent, in writing, of the occupier.	"		
Dwelling-house, without such consent . . . . .	"		
Factory not belonging to Government . . . . .	"		
Church, chapel or hospital . . . . .	"		
Public institution or building . . . . .	"		
Government building . . . . .	"		
<sup>1</sup> [Wireless station] . . . . .	"		
Factory or magazine occupied by the Government of India or any Department under that Government with the consent, in writing, of the Government of India or such Department.	"		
Ditto, without such consent . . . . .	"		

NOTE.—The applicant for the license should state in the third column whether he is able to observe the distances assigned in the second column, or not. *In any*

\* The distances will be required to be kept clear not merely on the first establishment of the magazine, but during the continuance of the license.

† This rule also applies to two or more magazines kept on the same premises, when such magazines—

(1) belong to the same occupier, or

(2) are so kept by mutual consent of the respective occupiers.

<sup>1</sup> Inserted by Notification No. 125, dated the 13th December, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 396.

case where he is unable to observe the full distance assigned, he should state what distance he can observe, and in the column of "Remarks" should set forth the grounds, if any, upon which he relies as justifying such reduction of distance, e.g., whether the magazine will be protected by mounds, or by natural features of the ground, or otherwise.

(Signature of applicant)

(Postal Address of Applicant)

(Date)

# FORM I.

[See Rule 45.]

## Distances to be kept clear round a Magazine.

\*Distances to be maintained between the magazine and other buildings and works:—

From every	Not less than yards.
Room used in connection with the magazine, in pursuance of rule 33 . . . . .	
Workshop used in connection with the magazine, in pursuance of rule 34† . . . . .	
Private railway . . . . .	
Highway or public footpath . . . . .	
Open air public meeting place (such as a market)	
Canal or navigable water . . . . .	
Dock . . . . .	
River wall . . . . .	
Pier or jetty . . . . .	
Reservoir or bunded tank . . . . .	
Room or workshop in connection with another magazine, store or licensed premises . . . . .	
Any other room or workshop, or any shop . . . . .	
Any other explosive magazine, or store for explosives	
Furnace, kiln or chimney . . . . .	
Public railway . . . . .	
Dwelling-house, with the consent, in writing, of the occupier . . . . .	
Dwelling-house, without such consent . . . . .	
Factory not belonging to Government . . . . .	
Church, chapel or hospital . . . . .	
Public institution or building . . . . .	
Government building . . . . .	
<sup>1</sup> [Wireless station] . . . . .	
Factory or magazine occupied by the Government of India, or any Department under that Government, with the consent, in writing, of the Government of India, or such Department . . . . .	
Ditto, without such consent . . . . .	

In the case of any building or work above-mentioned which is so screened from the magazine by the natural features of the ground or by

\* The distances will be required to be kept clear not merely on the first establishment of the magazine but during the continuance of the license.

† This rule also applies to two or more magazines kept on the same premises, when such magazines—

(1) belong to the same occupier, or

(2) are so kept by mutual consent of the respective occupiers.

<sup>1</sup> Inserted by Notification No. 125, dated the 18th December, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 396.

good and sufficient artificial mounds of earth as not to be visible from any part of such magazine, the distance assigned above as that to be observed between such building or work and the magazine may be reduced by one-half.

In the case of any building or work above-mentioned which is so screened from the magazine by an intervening hill, that a line drawn from any part of such building or work to any part of such magazine would pass through such hill, the distance assigned by this schedule as that to be observed between such building and work and the magazine may be reduced by three-fourths; but if a Government Inspector notifies in writing that in his judgment the intervening hill, in respect of which such reduction is claimed, is not of a character to justify such reduction, this clause, authorizing such reduction, shall be deemed not to apply in respect of the said building or work.

FORM J.

(Articles 13 and 14 of Schedule II.)

[FEE—  $\frac{\text{FIFTEEN}}{\text{TWO}}$  RUPEES IN STAMPS.]

*License to possess explosives (other than fulminates) in, and to sell explosives from, a magazine.*

[ Granted by the Resident at Hyderabad or officer appointed by the Resident at Hyderabad in this behalf.]

Name of licensee, and residence.	Boundaries of the land forming the site of the magazine to which the license applies.	Situation, character and construction of the buildings and works connected with the magazine.	Description of explosive to be possessed.	Amount of explosives to be possessed at the same time in the magazine and within the boundaries of the site thereof.	Date on which license expires.
1	2	3	4	5	6
					The 31st December 19 .

District. }

19 . }



(Signature.)

First Assistant<sup>1</sup> Resident or

<sup>1</sup> Now designated Secretary to the Resident.

*Conditions.*

IV of 1884. 1. This license is granted subject to the provisions of the Indian Explosives Act, 1884, as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars and the rules thereunder.

2. All explosives must be kept in the magazine indicated in this license.

3. The magazine is not to be used until this license is endorsed by the district authority in accordance with rule 48.

4. The licensee shall keep records and accounts of all explosives in stock and of all sales or issues in such form as the Resident at Hyderabad may from time to time direct.

<sup>1</sup>[4A. The licensee shall exhibit his stock and his books and records to any Magistrate or to any Police Officer duly empowered in this behalf, whenever such Magistrate or officer may call upon him so to do.]

5. There shall not be at the same time in the magazine any quantity of explosives exceeding the quantity specified in the license.

6. The magazine shall be used only for the keeping of the explosives specified in the license, and of receptacles for, or tools or implements for work connected with, the keeping of, such explosives.

7. The interior of the magazine, and the benches, shelves and fittings therein, shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel and the detaching of any grit, iron, steel or similar substances in such manner as to come into contact with the explosives; and such interior, benches, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean; and, in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom :

Provided that so much of this condition as relates to precautions against the exposure of any iron or steel and the detaching of any grit, iron, steel or similar substances, shall not be obligatory in a building in which no explosive other than an explosive of the first Division of the 6th (Ammunition) Class is kept.

8. The magazine shall have attached thereto an efficient lightning conductor, which shall be tested at least <sup>2</sup>[once in every year], and a certificate showing the result and date of the last test shall be hung up in a conspicuous place in the magazine. <sup>2</sup>[Such test shall be carried

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<sup>1</sup> Inserted by Notification No. 71-J., dated the 6th September, 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 162.

<sup>2</sup> Inserted by Notification No. 36-J., dated the 4th July, 1923. *Hyderabad Residency Orders*, 1923, Pt. I, p. 91.

out in the manner prescribed by the Chief Inspector of Explosives by an officer appointed by the Resident in this behalf and a fee of twenty rupees shall be payable by the licensee for such test. In the event of the test proving unsatisfactory a fee of fifteen rupees shall be payable by the licensee for each subsequent test until the lightning conductor is passed by the testing officer as satisfactory:

Provided that not more than twenty rupees shall be charged for all tests made on a conductor during any one day.]

9. Before repairs are done to any room or magazine or part thereof, the same shall, as far as is practicable, be cleaned by the removal of all explosives or mixed ingredients thereof, and the thorough washing out of such room, magazine or part; and after such cleaning these conditions shall cease to apply to such room or part of the magazine until any explosive is again taken into it:

Provided that this condition shall not be obligatory in a magazine in which no explosive other than an explosive of the 1st Division of the 6th (Ammunition) Class is kept.

10. Except after such cleaning, all tools and implements used in, or in making any repairs to, any part of the magazine shall be made only of wood, copper or brass or some soft metal or material, or shall be covered with some safe and suitable material:

Provided that this condition shall not be obligatory in a magazine in which no explosive other than an explosive of the 1st Division of the 6th (Ammunition) Class is kept.

11. Due provision shall be made, by the use of suitable working clothes without pockets, or of suitable shoes, or by searching or otherwise, or by some such means, for preventing the introduction into the magazine of fire, lucifer matches or any substance or article likely to cause explosion or fire, or of any grit, iron or steel; but this rule shall not prevent the introduction of an artificial light of such construction, position or character as not to cause any danger of fire or explosion:

Provided that so much of this condition as applies to the exclusion of grit, iron or steel, shall not be obligatory in a building in which no explosive other than an explosive of the first Division of the 6th (Ammunition) Class is kept.

12. No person shall smoke in any part of the magazine.

13. No person under the age of fourteen years shall be employed in or enter the magazine, except in the presence and under the supervision of some grown-up person, and no explosive shall be sold to any such person.

14. (1) Two or more descriptions of explosives which may lawfully be possessed in a licensed magazine may be possessed in the same magazine if they are separated from each other by an intervening partition

of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other:

(2) Provided as follows:—

- (a) the various explosives of Classes 1 (gunpowder), 2 (nitrate-mixture), 3 (nitro-compound) and 4 (chlorate-mixture), safety fuzes belonging to the 1st Division of the 6th (Ammunition) Class, and such of the various explosives of the 2nd Division of the 6th (Ammunition) Class as do not contain any exposed iron or steel, may be kept with each other without any intervening partition or space;
- (b) the various explosives of the 1st Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;
- (c) such of the various explosives of the 2nd Division of the 6th (Ammunition) Class as contain any exposed iron or steel, may be kept with each other without any intervening partition or space;
- (d) the various explosives of the 3rd Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;
- (e) the various explosives of the 7th (Fire-work) Class, may be kept with each other without any intervening partition or space.

(3) Save as aforesaid, two or more descriptions of explosives shall not be kept in the same magazine.

15. The licensee, and every person employed in or about the magazine, shall take all due precautions for the prevention of accidents by fire or explosion in the magazine, and for preventing unauthorized persons from having access to the magazine or to the explosives therein, and shall abstain from any act whatever which tends to cause fire or explosion and is not reasonably necessary for the purpose of the work in such magazine.

16. (1) Blasting gelatine or any of its kindred gelatinous nitro-compounds shall not be kept in the magazine after the expiration of three years from the date of its, or their, importation into British India, except with the special sanction of an Inspector of Explosives.

(2) When such sanction has been given, a written certificate, showing the period covered by the sanction, must be obtained from an Inspector of Explosives at each inspection, and must be kept by the licensee at the magazine.

17. The licensee shall, at his own expense, provide for the safe custody of the magazine, a guard which shall be of such strength as the District Magistrate may consider to be sufficient.

18. All losses, shortage of stock and thefts of explosives shall be reported without delay to the nearest police-station.

FORM K.

(Article 15 of Schedule II.)

[FEE—TWENTY RUPEES IN STAMPS.]

*License to possess explosives (other than fulminates) in a floating magazine.*

(Granted by the Resident at Hyderabad.)

Name of licensee and residence.	Description of limits within which the magazine shall be moored or anchored.	Situation, character and construction of the magazine.	Description of explosive to be possessed.	Amount of explosives to be possessed at the same time in the magazine.	Date on which license expires.
1	2	3	4	5	6

(Signature.)

District,

19

}



First Assistant<sup>1</sup> Resident.

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884, as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars and the rules thereunder. <sup>IV of 1884</sup>

2. The whole vessel, barge or craft in or on board which the explosives are stored shall be deemed to constitute the magazine.

<sup>1</sup> Now designated Secretary to the Resident.

3. The magazine shall be used only for the keeping of such explosives as may be specified in the license, and of receptacles for, or tools or implements for work connected with, the keeping of such explosives.

4. The interior of the magazine, and the benches, shelves and fittings therein, shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel in such manner, and the detaching of any grit, iron, steel or similar substance in such manner, as to come into contact with the explosives in such magazine; and such interior, benches, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean.

5. The magazine shall have attached thereto an efficient lightning conductor, which shall be tested previous to the storage of explosives. <sup>1</sup>[Such test shall be carried out in the manner prescribed by the Chief Inspector of Explosives by an officer appointed by the Resident in this behalf and a fee of twenty rupees shall be payable by the licensee for such test. In the event of the test proving unsatisfactory a fee of fifteen rupees shall be payable by the licensee for each subsequent test until the lightning conductor is passed by the testing officer as satisfactory:

Provided that not more than twenty rupees shall be charged for all tests made on a conductor during any one day.]

6. No charcoal, whether ground or otherwise, oiled cotton, oiled rags or oiled waste and no article whatever which is liable to spontaneous ignition, shall be taken into the magazine.

7. Before repairs are done to or in any part of the magazine, it shall, so far as practicable, be cleaned by the removal of all explosives, and by a thorough washing out. After being so cleaned, it shall not be deemed to be a magazine until explosives are again taken into it.

8. There shall be constantly kept in the magazine, affixed in such manner as to be easily read, a copy of the license, and of any special rules that may be issued from time to time for the keeping of explosives in a floating magazine.

9. All tools and implements used in any repairs to or in any part of the magazine shall be made only of wood or copper or brass or some soft metal or material, or shall be covered with some safe and suitable material.

10. No fires, lights or lucifer matches, and no substance or article which is likely to cause explosion or fire, shall be permitted to be at any time in the magazine.

11. Due provision shall be made, by the use of suitable working clothes without pockets, or of suitable shoes, or by searching or other-

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<sup>1</sup> Inserted by Notification No. 36-J., dated the 4th July, 1923. *Hyderabad Residency Orders*, 1923, Pt. I, p. 91.



wise, or by some such means, for preventing the introduction into the magazine of fire, lucifer matches or any substance or article which is likely to cause explosion or fire; and for preventing the introduction of any grit, iron or steel into any part of the magazine where it would be likely to come into contact with explosives; and in any part of the magazine in which any explosive is kept which is liable to be dangerously affected by water, due precautions shall be taken to exclude water from such part; but this condition shall not prevent the introduction of an artificial light of such construction, position or character as not to cause any danger of fire or explosion; and so much of this condition as relates to the exclusion of grit, iron or steel shall not be obligatory in the case of a magazine in which no explosive other than explosives of the 1st Division of the 6th (Ammunition) Class is kept.

12. No person shall smoke in any part of the magazine.

13. (1) The licensee shall not employ any vessel, barge or craft to carry an explosive to or from the magazine unless the cabin, hold or other part of the vessel, barge or craft in which the explosive is or is to be carried—

(a) is constructed without any exposed iron or steel in the interior thereof;

(b) contains only explosives, and

(c) is closed or otherwise properly covered over:

Provided that clause (a) shall not apply in the case of any vessel, barge or craft which carries no explosive other than explosives of the 1st Division of the 6th (Ammunition) Class, or which is specially exempted by an order of the Chief Inspector of Explosives or by an order of the Resident at Hyderabad endorsed on this license.

(2) The licensee shall see that the explosives to be placed on any vessel, barge or craft so employed are loaded, carried and unloaded with all due diligence and with such precautions and in such manner as will sufficiently guard against any accidental ignition.

14. The licensee shall see—

(a) that no fire, unprotected light or smoking is allowed while any explosive [other than explosives of the 1st Division of the 6th (Ammunition) Class] is being received or delivered, or while the hatches or door of the magazine, or the hatches or coverings of any vessel, barge or craft alongside containing any such explosive, are open; and

(b) that no receipt or delivery of explosive is carried on, and that the hatches or door of the magazine are or is kept closed,

when any vessel, barge or craft having on board a fire (other than engine-fires properly banked up) or an unprotected light is alongside a magazine containing an explosive other than explosives of the 1st Division of the 6th (Ammunition) Class or in its immediate vicinity.

15. A person under the age of fourteen years shall not be employed in or enter the magazine, except in the presence and under the supervision of some grown-up person.

16. In the case of the magazine being approachable at low water by carriages, the words " vessel, barge or craft," in Nos. 13 and 14 of these conditions, shall be taken to include a carriage.

17. (1) Two or more descriptions of explosives, which may lawfully be possessed in a licensed magazine, may be possessed in the same magazine, if they are separated from each other by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in one compartment from extending to another compartment.

(2) Provided as follows:—

- (a) the various explosives of Classes 1 (gunpowder), 2 (nitrate-mixture), 3 (nitro-compound) and 4 (chlorate mixture), safety fuzes belonging to the 1st Division of the 6th (Ammunition) Class, and such of the various explosives of the 2nd Division of the 6th (Ammunition) Class, as do not contain any exposed iron or steel, may be kept with each other without any intervening partition or space;
- (b) the various explosives of the 1st Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;
- (c) such of the various explosives of the 2nd Division of the 6th (Ammunition) Class as contain any exposed iron or steel, may be kept with each other without any intervening partition or space;
- (d) the various explosives of the 3rd Division of the 6th (Ammunition) Class, may be kept with each other without any intervening partition or space;
- (e) the various explosives of the 7th (Fire-work) Class, may be kept with each other without any intervening partition or space.

(3) Save as aforesaid, two or more descriptions of explosives shall not be kept in the same magazine.

FORM L.

(Articles 16 and 17 of Schedule II.)

[FEE—FIVE RUPEES IN STAMPS.]

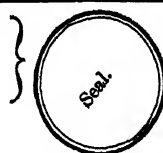
*License to sell explosives.*

[Granted by the District Magistrate.]

Name, etc., of licensee and place of residence.	Place of business or shop.	Description of explosives to be sold.	Date on which license expires.
1	2	3	4
			The 31st December 19 .

District,

19. .



(Signature.)

of

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884, as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars and the rules thereunder. IV of 1884

2. The licensee shall keep records and accounts of all explosives in stock, and of all sales, in such form as the Resident at Hyderabad may from time to time direct.

<sup>1</sup>[2A. The licensee shall exhibit his stock and his books and records to any Magistrate or to any Police Officer duly empowered in this behalf, whenever such Magistrate or officer may call upon him so to do.]

3. Explosives shall not be sold to any child apparently under the age of fourteen years.

4. All explosives exceeding one pound in weight, when publicly exposed for sale or sold, shall be in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping; and the outermost receptacle containing such explosives shall have affixed the name of the explosives, with the word "explosive" added thereto in conspicuous characters by means of a brand or securely attached label or other mark.

<sup>1</sup> Inserted by Notification No. 71-J., dated the 6th September, 1927. Hyderabad Residency Orders, 1927, Pt. I, p. 162.

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 307  
under Acts locally applied.)**

**SCHEDULE IV.**  
**REGULATIONS FOR PACKAGE OF EXPLOSIVES.**  
(See rule 74.)

Class.	Method of packing.	Amount in any one outer package.	Amount in any one inner package.
Class 1 . . .	When the quantity in any one consignment does not exceed 5 lbs. in amount, a single outer package; otherwise.  A double package, the inner and outer packages being as defined in rule 73.	100 lbs. Provided that where gunpowder and propellant are packed together the amount shall not exceed—	100 lbs. any one inner package.
Class 2 . . .	As for Class 1 . . . . .	50 lbs. 50 lbs.	25 lbs. 50 lbs.
Class 3, Division 1, other than propellants.	<sup>1</sup> [As for class 1, provided that either the outer or inner package shall be thoroughly waterproof, and that no metal shall be used in the construction of the packages, except that (1) nails made of brass, zinc, or other soft metal or coated with the same may be used for securing the outer package, and (2) wire stitching may be used for securing the inner package if the wire is effectively prevented from coming into contact with the explosive by means of a sheet of stout cardboard or otherwise.]	50 lbs.	5 lbs.
Class 3, Division 1, propellants.	As for Class 1 . . . . .	50 lbs.	50 lbs.
Class 3, Division 2, other than Picric Acid and Wet Gun-cotton.	As for Class 1 . . . . .	50 lbs.	50 lbs.
Picric Acid . . .	As for Class 1 . . . . .	Unlimited.	Unlimited.
Gun-cotton so wetted with water as to be absolutely unflammable.	As for Class 1, provided that the inner or outer package, or both of them, shall be of such a nature, and so closed, as to prevent any material loss of moisture during conveyance.	Unlimited.	Unlimited.
Class 4, Division 1 .	As for Class 3, Division 1, other than propellants.	50 lbs.	5 lbs.
Class 4, Division 3 .	As for Class 1 . . . . .	50 lbs.	50 lbs.
Class 5 . . .	Packed in water. A treble package, the innermost package, being a bag permeable to water, enclosed in a case containing sufficient water to ensure the explosive being kept constantly wet, and the outer package containing sufficient water constantly to surround the case. Both the case and the outer package shall be of such construction as will not allow water to escape.	200 lbs.	25 lbs.

<sup>1</sup> Substituted by Notification No. 65-J., dated the 16th October, 1923. *Hyderabad Residency Orders*, 1923, Pt. I, p. 140.

SCHEDULE IV—*contd*

Class.	Method of packing.	Amount in any one outer package.	Amount in any one inner package.
Class 6, Division 1, other than Pm-fire cartridges for pistols.	If the explosive is of such character that it cannot be packed in a thoroughly wet condition, it shall be packed in accordance with conditions prescribed by the Chief Inspector of Explosives.		
	A single outer package.		
	Provided that clause (2) of rule 73 shall not apply to explosives of this Division,  Provided also that bulletted cartridges of a calibre exceeding 0.5 inch and belonging to this Division shall be packed in such a manner that the point of any bullet cannot come in contact with the cap of another cartridge.	Unlimited.	..
Pm-fire cartridges for pistols.	(a) Not exceeding 50 in number in any one consignment:—So packed in a single package that the bases lie alternately in opposite directions. The bases and pins shall be so fitted into perforations in millboard or other suitable material as to prevent the firing of any one of the said cartridges by an explosion in any other of the said cartridges.	50 in number.	..
	(b) Exceeding 50 in number:—In an inner and outer package, the cartridges being packed in inner packages with millboard as above required.	2,500 in number.	50 in number.
Class 6, Division 2.	Explosives made up into cartridges or charges for cannon, shells, torpedoes, mines, blasting or other like purposes shall be packed in such manner and in such quantity as is required for the same explosive when not so made up, provided that, where a double package is required, the enclosing case of such cartridges or charges may, if it satisfies the conditions required for an inner package, be held to be such inner package.	..	..
	Other ammunition of this Division.—A single outer package.	100 lbs.	..
Class 6, Division 3 other than Detonators and Electric Detonators.	As for Class 1 . . . . .	50 lbs.	2 lbs. or 10 in number whichever be the greater.
	Provided that bulletted cartridges of a calibre exceeding 0.5 inch and belonging to the Division shall be packed in such a manner that the point of any bullet cannot come in contact with the cap of another cartridge.		

SCHEDULE IV—*conold*

Class.	Method of packing.	Amount in any one outer package.	Amount in any one inner package.
Detonators . . .	<p>(a) Not exceeding 1,000 in any one consignment:—As for class 1, provided that the detonators and the spaces between the same and between the sides of the inner package and the said detonators shall all be filled, as far as practicable, with fine sawdust or other similar material, a layer of felt or other soft yielding material shall be placed between both ends of all the detonators and the interior of the inner package in which the same are placed, in such manner, and so secured, that both ends of the detonators will rest upon the said cotton wool or other material, every inner package, if of metal, to be lined throughout with paper or other soft material, and</p> <p>(b) Exceeding 1,000 detonators:— The detonators shall be packed in inner packages, with sawdust and cotton wool as above described. Such inner packages shall be placed inside a substantial case of wood or metal, made and closed so as to prevent any of the inner packages escaping therefrom, and such case shall be placed inside an outer package in such manner and so secured as to leave a clear space of not less than three inches between the case and every part of the interior of the said outer package, notwithstanding that such clear space may, if preferred, be filled with sawdust, straw or other similar material, or may contain a light framework or battens of wood to keep the case aforesaid in position in the outer package; and</p> <p>(c) where the number of detonators exceeds 5,000, such outer package shall be provided with handles or other contrivance, by means of which it can be safely and conveniently carried.</p>	<p>1,000 in number.</p> <p>10,000 in number.</p>	<p>100 in number.</p> <p>100 in number.</p>
Electric Detonators	As for Class 1, provided that where the number in any outer package exceeds 3,000, such outer package shall be provided with handles or other contrivance, by means of which it can be safely and conveniently carried.	5,000 in number.	100 in number.
Class 7, Division 1 .	Double package, the inner package being hermetically closed and contained in an outer package as above defined.	20 lbs.	1 lb.
Class 7, Division 2	Single outer package, provided that clause (2) of rule 73 shall not apply to explosives of this Class and Division.	100 lbs.	..

TABLE SHOWING DISTANCES WHICH SHOULD

[S]

In any case where any of the items enumerated in the first column of this Table is, in the opinion of an Inspector of Explosives, effectively screened from a magazine either by the natural features of the ground or mound, the distance from that item (except for quantities of one thousand pounds of explosives and under) will be reduced to one-half. Provided that when a natural hill so in

N.B.—The figures in small italics are the distances to be observed when ordinary gunpowder only is to be stored or other explosives up

		500 lbs	1,000 lbs	2,000 lbs	3,000 lbs	4,000 lbs	5,000 lbs	6,000 lbs	7,000 lbs	8,000 lbs	9,000 lbs	10,000 lbs	11,000 lbs	12,000 lbs	13,000 lbs	14,000 lbs	15,000 lbs	16,000 lbs	17,000 lbs	18,000 lbs	19,000 lbs	20,000 lbs	22,000 lbs	24,000 lbs	26,000 lbs	28,000 lbs	30,000 lbs
DISTANCES TO BE KEPT CLEAR FROM—																											
Room used in connection with the magazine, in pursuance of rule 33	Yds	50 <i>35</i>	50 <i>35</i>	50	51	52	53	53	53	54	54	55	55	56	56	57	57	58	58	59	59	60	61	62	63	64	65
Workshop used in connection with the magazine, in pursuance of rule 34 <i>[See note (b)]</i>	"	"	75 <i>50</i>	100 <i>75</i>	101 <i>90</i>	102	104	105	106	108	109	110	111	112	113	114	115	116	117	118	119	120	123	124	126	128	130
Private railway	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Highway or public footpath	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Open air public meeting place (such as a market)	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Canal or navigable water	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Dock	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
River wall	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Pier or jetty	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Reservoir or bunded tank	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Room or workshop in connection with another magazine, store, or licensed premises	"	100 <i>65</i>	150 <i>100</i>	200 <i>150</i>	200 <i>175</i>	200	200	200	200	200	200	200	205	210	215	220	225	230	235	240	245	250	265	280	295	310	325
Any other room or workshop or any shop	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Any other explosive magazine or store for explosives	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Furnace, kiln or chimney	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Public railway	"	"	"	"	210	215 <i>200</i>	225 <i>210</i>	235 <i>220</i>	240 <i>230</i>	250 <i>245</i>	255	265	270	280	285	290	300	305	310	315	325	330	345	355	370	380	395
Dwelling house, with the consent, in writing, of the occupier	"	50 <i>35</i>	75 <i>50</i>	100 <i>75</i>	110 <i>90</i>	120 <i>100</i>	130 <i>110</i>	140 <i>120</i>	145 <i>130</i>	155 <i>140</i>	165 <i>150</i>	175	180	190	200	205	215	220	230 <i>210</i>	235	245	250	265	280	295	310	325
Dwelling house, without such consent	"	100 <i>65</i>	150 <i>100</i>	200 <i>150</i>	240 <i>175</i>	280 <i>200</i>	320 <i>255</i>	365 <i>310</i>	405 <i>360</i>	445 <i>415</i>	485 <i>470</i>	525	560	590	625	665	690	720	750	785	815	850	920	990	1060	1130	1200
Factory not belonging to Government	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Church, chapel or hospital	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Public institution or building	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Government building	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Wireless station	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Factory or magazine occupied by the Government of India or any Department under that Government—																											
(1) with the consent, in writing, of the Government of India or such Department	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
(2) Ditto ditto without such consent	"	880 <i>535</i>	1320 <i>880</i>	1760 <i>1320</i>	1780 <i>1540</i>	1895 <i>1780</i>	1925 <i>1790</i>	1950 <i>1820</i>	1970 <i>1850</i>	1990 <i>1880</i>	1910 <i>1905</i>	1930	1950	1970	1990	2005	2025	2040	2060	2075	2095	2110	2145	2180	2215	2255	2290

NOTE—(a) This table furnishes the basis on which applications for licences will be considered, but is susceptible to modifications under special circumstances on the advice of  
(b) This rule applies to two or more magazines kept on the same premises—  
(1) belonging to the same occupier, or  
(2) so kept by mutual consent of the respective occupiers  
(c) Detonators may be kept in an annex near to or adjoining a magazine under the following conditions—  
(1) The amount of explosive contained in the detonators must not exceed 100 lbs reckoned in the proportion of not less than 2½ lbs of explosive per 1,000 detonators  
(2) The detonator annex must be so constructed that not less than two feet of masonry and three feet of air space shall intervene between any detonators in such an  
[Hyderabad Residency Orders, 1916, Pt. I, p. 25]  
Inserted by notification No. 125, dated the 18th December, 1916, Hyderabad Residency Orders, 1916, Pt. I, p. 226.

ORDINARILY BE KEPT CLEAR ROUND MAGAZINES

rule 41 ]

ound or by good and substantial artificial mounds of earth or mine refuse, of such height that a line drawn from any part of the magazine to any part of the item in question will pass through the intervening  
ar:anes as to afford a degree of protection which, in the opinion of an Inspector of Explosives, justifies a further reduction, the distance shown in the Table will be reduced to one-quarter.

40 the equivalent of five thousand pounds of gunpowder, every half pound of such other explosive being reckoned as one pound of gunpowder

ount of explosive allowed in the magazine (in pounds)

12 000 lbs	34 000 lbs	36 000 lbs	38 000 lbs	40 000 lbs	42 000 lbs	44 000 lbs	46 000 lbs	48 000 lbs	50 000 lbs	52 000 lbs	54 000 lbs	56 000 lbs	58 000 lbs	60 000 lbs	62 000 lbs	64 000 lbs	66 000 lbs	68 000 lbs	70 000 lbs	72 000 lbs	74 000 lbs	76 000 lbs	78 000 lbs	80 000 lbs	82 000 lbs	84 000 lbs	86 000 lbs	88 000 lbs	90 000 lbs	92 000 lbs	94 000 lbs	96 000 lbs	98 000 lbs	100 000 lbs
66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
133	134	136	138	140	142	144	146	148	150	152	154	156	158	160	162	164	166	168	170	172	174	176	178	180	182	184	186	188	190	192	194	196	198	200
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
340	355	370	385	400	415	430	445	460	475	490	505	520	535	550	565	580	595	610	625	640	655	670	685	700	715	730	745	760	775	790	805	820	835	850
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
410	420	435	445	460	478	485	500	510	525	540	550	565	575	590	605	615	630	640	655	670	680	695	705	720	735	745	760	770	785	800	810	825	835	850
940	955	970	985	1000	1015	1030	1045	1060	1075	1090	1105	1120	1135	1150	1165	1180	1195	1210	1225	1240	1255	1270	1285	1300	1315	1330	1345	1360	1375	1390	1405	1420	1435	1450
1265	1330	1395	1460	1525	1590	1655	1720	1785	1850	1915	1980	2045	2110	2175	2240	2305	2370	2435	2500	2570	2640	2710	2780	2850	2915	2980	3045	3110	3175	3240	3305	3370	3435	3500
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
2395	2380	2395	2490	2465	2500	2635	2670	2605	2640	2675	2710	2745	2780	2815	2850	2885	2920	2955	2990	3025	3060	3100	3135	3170	3205	3240	3275	3310	3345	3380	3415	3450	3485	3520

the Chief Inspector of Explosives with the Government of India

\*-Note - (This proportion represents roughly about 44,000 detonators of "sexuple" strength; with detonators of greater strength the number would be of course less).  
here and the interior of the main magazine



*Application of rules to railway lands.*

No. 34-J., dated the 20th April, 1915.—In exercise of the powers conferred by sections 5 and 7 of the Indian Explosives Act, 1884 (IV of 1884), as applied to the Railway lands in the Hyderabad State, which are administered by the Resident at Hyderabad, the Resident, with the previous sanction of the Governor General in Council, is pleased to direct that the Hyderabad Residency Explosives Rules, 1914, published with the *Residency Orders* notification No. 67-J., dated the 28th August, 1914, shall apply to the said Railway lands.

[*Hyderabad Residency Orders*, 1915, Pt. I, p. 74.]

*Acetylene declared to be an explosive and its manufacture, possession and importation prohibited in the Hyderabad Administered Areas.*

No. 622-I. B., dated the 29th April, 1915.—In exercise of the powers conferred by sections 17 and 6 of the Indian Explosives Act, 1884 (IV of 1884), as applied to the Administered Areas in the Hyderabad State by the notification of the Government of India in the Foreign Department, No. 582-I. B.,<sup>1</sup> dated the 22nd March, 1913, as subsequently amended, and in supersession of the notification of the Government of India in the Department of Commerce and Industry, No. 736—39, dated the 30th January, 1915:—

I. The Governor General in Council is pleased hereby to declare that acetylene, when liquid or when subject to a pressure above that of the atmosphere capable of supporting a column of water exceeding two hundred and fifty inches in height, and whether or not in admixture with other substances, or when in admixture with atmospheric air or with oxygen gas in whatever proportion and at whatever pressure, and whether or not in admixture with other substances, shall be deemed to be an explosive within the meaning of the said Act, subject to the following exception: that if it be shown to the satisfaction of the Governor General in Council that acetylene declared to be an explosive by this notification when in admixture with any substance, or in any form or condition, is not possessed of explosive properties, the Governor General in Council may, by order, exempt such acetylene from being deemed to be an explosive within the meaning of the said Act.

Provided that nothing in this notification shall apply to acetylene in admixture with air when such admixture takes place only in a burner or contrivance in which the mixture is intended to be burnt:

Provided, also, that nothing in this notification shall be held to apply to an admixture of acetylene and air which may unavoidably oc-

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<sup>1</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

cur in the first use or recharging of an apparatus, properly designed and constructed with a view to the production of pure acetylene :

Provided also, that, subject to the conditions hereinafter specified, acetylene, when in admixture with oil-gas (that is to say, a gas manufactured from mineral oil), shall not be deemed to be an explosive within the meaning of the said Act, when under compression—

- (1) The acetylene shall be generated only by the Atkins Dry Process.
- (2) The proportion of acetylene shall not exceed fifty parts by volume in every one hundred parts of the mixture of acetylene and oil gas.
- (3) The acetylene and oil gas shall be mixed together in a chamber or vessel before the gases are subjected to compression.
- (4) The mixture shall not be compressed to a pressure exceeding one hundred and fifty pounds per square inch.

Provided also, that, subject to the conditions hereinafter specified, acetylene, when contained in a homogeneous porous substance, with or without acetone, shall not be deemed to be an explosive within the meaning of the said Act—

- (1) The pressure shall not exceed one hundred and fifty pounds to the square inch.
- (2) The porous substance shall fill, as completely as possible, the cylinder or other vessel into which the acetylene is compressed, and the porosity of the substance shall not exceed eighty per cent.
- (3) Every cylinder or other vessel into which acetylene is to be compressed shall be thoroughly tested to a pressure of not less than double that to which the vessel is to be subjected in use, and shall be fitted with a fusible plug designed to act at or below a temperature of  $212^{\circ}\text{F}$ .
- (4) Every cylinder or vessel in which acetylene is compressed shall be permanently and conspicuously marked with the name of the manufacturer and the words—"Acetylene compressed into porous substance exempted by the notification of the Government of India in the Foreign and Political Department, No. 622-I. B., dated the 29th April, 1915," and shall bear a label giving the date when it was last filled together with the name and address of the filler.
- (5) When acetone is used for absorbing the acetylene due precaution shall be taken that the quantity of acetone is such

that when fully charged with acetylene it does not completely fill the porosity of the porous substance.

When the operation of compressing the acetylene is carried out in the Administered Areas in the Hyderabad State:—

- (6) The apparatus by means of which the acetylene is compressed into a porous substance shall be fitted with a safety valve designed to act at a pressure of 200 lbs. per square inch, and shall be surrounded by rope mantlets in such a manner as efficiently to protect the operators.

II. The Governor General in Council is pleased to prohibit absolutely the manufacture, possession and importation of such acetylene as is declared by paragraph 1 of this notification to be an explosive.

[*Gazette of India*, 1915, Pt. I, p. 629.]

*Picric acid, picrates and mixtures of picric acid declared to be explosives.*

No. 125-I., dated the 10th March, 1927.—In exercise of the powers conferred by section 17 of the Indian Explosives Act, 1884 (IV of 1884), as applied to the Administered Areas in the Hyderabad State and in supersession of the notification of the Government of India in the Foreign and Political Department, No. 143-I. B., dated the 11th January 1918, the Governor General in Council is pleased to declare that picric acid, picrates and mixtures of picric acid shall be deemed to be explosives within the meaning of the said Act as so applied, subject to the following exceptions, namely:—

- (a) Picric acid or a picrate when mixed with not less than one half its own weight of water shall not be deemed to be an explosive.
- (b) Picric acid when thoroughly mixed with not less than three times its own weight of—
- (i) anhydrous sulphate of soda, or
  - (ii) crystallised sulphate of soda, and packed in hermetically closed packages, or
  - (iii) potash alum,

shall not be deemed to be an explosive.

- (c) Picric acid when the quantity does not exceed one ounce shall not be deemed to be an explosive, provided that:—

- (i) such picric acid is so kept and conveyed as not to be liable, whether under the action of fire or otherwise, to come in

- contact with any substance specified in the annexed schedule, or with any fire or light capable of igniting such picric acid;
- (ii) such picric acid when dry is contained in a packet from which the contents cannot escape; and in the construction of which no metal other than aluminium or an alloy containing not less than 90 per cent. of aluminium is used;
- (iii) each package is legibly marked "Picric acid";
- (iv) if the picric acid is contained in glass bottles, the stoppers shall not be of glass.

*Schedule.*

Any of the following metals or metallic oxides, namely, lead, oxide of lead, oxide of iron, potash, baryta, lime, soda, oxide of zinc, oxide of copper; and any compound of such metal or oxide (other than a metallic sulphate); or any chlorate, nitrate or other oxidising agent; or any other substance declared by the Governor General in Council to be capable of forming with picric acid a dangerous compound:

Provided that this schedule shall not be deemed to include any metal or oxide unavoidably formed on any metal, used in the construction of any ship, boat or carriage, or contained in any paint, where the packages containing the picric acid are protected from direct contact with such metal or paint.

[*Gazette of India*, 1927, Pt. I, p. 344.]

INDIAN TELEGRAPH ACT, 1885.

*Rules of British India applied to Secunderabad and Aurangabad.*

No. 1009-I., dated the 4th March, 1891.—In continuation of the Foreign Department notification No. 3659-I., dated the 31st October 1890, applying the provisions, so far as they may be suitable, of Act XIII of 1885 (The Indian Telegraph Act) to the Cantonment of Secunderabad, subject to certain modifications, the Governor General in Council is pleased to direct that the rules in force from time to time under the said Act in British India shall be deemed to be similarly in force in the Cantonment of Secunderabad.

[*Gazette of India*, 1891, Pt. I, p. 124.]

*Rules of British India applied to the Residency Bazaars.*

No. 4452-I., dated the 29th December, 1890.— \* \* \*

II. The Governor General is also pleased to direct that the rules in force from time to time under the said Act\* in British India shall

\* See footnote 1 on page 177, *supra*.

be deemed to be similarly in force in the Hyderabad Residency Bazars

[*Gazette of India*, 1891, Pt. I, p. 6.]

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886.

*Establishment of General Registry Office and appointment of Registrar General and Registrars.*

No. 13-J., dated the 18th March, 1929.—In exercise of the powers conferred by section 6, clause (a) of the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886) as applied to the British Administered Areas in the Hyderabad State, the Resident is pleased to establish a general registry office for keeping such certified copies of registers of births and deaths registered under the Act as applied or marriages registered under the Indian Christian Marriage Act, 1872 (XV of 1872) as may be sent to it under the Act, or under the Indian Christian Marriage Act as amended by this Act and under clause (b) of the same section to appoint to the charge of that office, as Registrar-General of Births, Deaths and Marriages, the person for the time being holding the office of Secretary to the Resident at Hyderabad.

Further under section 12 of the Act as applied the Resident is pleased to appoint the persons holding the offices of District Registrar under the Indian Registration Act, 1908 (XVI of 1908) in the British Administered Areas in the Hyderabad State, to be Registrar of Births and Deaths under the Act for the time being for the same local area for which he is appointed under the Indian Registration Act, 1908.

[*Hyderabad Residency Orders*, 1929, Pt. I, p. 35.]

INDIAN MERCHANDISE MARKS ACT, 1889.

*Instructions to Criminal Courts in giving effect to the Act as applied to Secunderabad and Aurangabad in respect of certain trade descriptions.*

No. 1, dated the 5th January, 1892.—In exercise of the power conferred by section 16 of the Indian Merchandise Marks Act, IV of 1889, as applied to the Cantonment of Secunderabad and in supersession of all existing orders on the subject, the Resident directs that Criminal Courts in giving effect to the provisions of the Act in respect of trade descrip-

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<sup>1</sup> See Notifications No. 37-J., dated the 7th May, 1927, and No. 30-J., dated the 10th April, 1924. Printed *infra*, p. 403.

tions of quantity, measure, or weight of the goods specified hereafter shall observe the following instructions:—

I. A trade description of length stamped on *grey, white, or coloured cotton piece-goods* shall not be deemed to be false in a material respect unless—

(a) where a single length is stamped the description exceeds the actual length by more than—

- 4 inches in pieces stamped as 10 yards long and under,
- 5 inches in pieces stamped as above 10 yards and up to 23 yards long;
- 7 inches in pieces stamped as above 23 yards and up to 36 yards long;
- 9 inches in pieces stamped as above 36 yards and up to 47 yards long;
- 18 inches in pieces stamped as above 47 yards long:

Provided that the average length of the goods in question shall not be less than the stamped length;

(b) where a maximum and a minimum length are stamped. the described maximum length is greater than the actual length by more than—

- 9 inches in piece-goods under 35 yards long;
- 18 inches in piece-goods under 35 yards and up to 47 yards long;
- 36 inches in piece-goods above 47 yards long:

Provided that no such piece shall measure less than the minimum stamped length.

II. A trade description of width stamped on *grey, white, or coloured cotton piece-goods* shall not be deemed to be false in a material respect unless the description exceeds the actual width by—

- half-an-inch in pieces stamped as 40 inches or less in width;
- three-quarters of-an-inch in pieces stamped as over 40 inches, or under 59 inches in width;
- one inch in pieces stamped as 59 inches or more in width:

Provided that the average width of the goods in question shall not be less than the stamped width.

III. A trade description of count or number, length or weight, applied to *grey, or bleached, cotton yarn* shall not be deemed to be false in a material respect unless—

- (a) the described count or number is greater or less than the actual count or number by more than 5 per cent., provided that the average count of the whole of the yarn in question is not greater or less than the described count; or
- (b) the average length of the whole number of hanks in a bundle is less than 840 yards; or
- (c) in a bundle of yarn of any count under 50, described as being 10<sup>lb</sup> in weight, the number of knots of twenty hanks each

- is not half of, the number of knots of ten hanks each is not the same as, and the number of knots of five hanks is not double, the described count or number of the yarn; or
- (d) in a bundle of yarn of any count under 50, described as being 5 lb in weight, the number of knots of twenty hanks each is not a quarter of the described count or number of the yarn; or
- (e) in a bundle of yarn of any count from 50 upwards, the number of knots of twenty hanks each is not half, or the number of knots of forty hanks each is not a quarter, when the described weight is 10 lb, and is not a quarter or an eighth, as the case may be, when the described weight is 5 lb of the count or number of the yarn; or
- (f) in the case of *bleached yarn* the described weight exceeds the actual weight by more than—
- 7½ per cent. in counts from 1 to 8;
  - 5 per cent. in counts from above 8 to 18;
  - 4 per cent. in counts from above 18 to 30;
  - 2½ per cent. in counts from above 30 to 80.

IV. A trade description of count or number applied to a bundle of *dyed cotton yarn* shall be accepted as indicating length only, the hank being taken to measure 840 yards, and it shall be deemed to be false in a material respect if the average length of the hanks in a bundle is less than 819 yards.

V. A trade description of length applied to *thread of any kind* (of cotton, wool, flax or silk) shall not be deemed to be false in a material respect unless it exceeds the actual length by more than 1 per cent.

VI. The dimensions of goods on which their length or width is stamped shall be determined by measurement in imperial yards of 36 inches.

[*Hyderabad Residency Orders*, 1892, Pt. I, p. 13.]

#### CHARITABLE ENDOWMENTS ACT, 1890.

##### *Appointment of Treasurer.*

No. 1509-I. B., dated the 23rd June, 1913.—In exercise of the powers conferred by section 3 (1) of the Charitable Endowments Act, 1890 (VI of 1890), as applied to the Administered Areas in the Hyderabad State the Governor General in Council is pleased to appoint the Accountant General, Madras, to be the Treasurer of Charitable Endowments for the said Areas.

[*Gazette of India*, 1913, Pt. I, p. 658.]

GUARDIANS AND WARDS ACT, 1890.

*Rules for the guidance of guardians in Secunderabad and the Residency Bazars.*

No. 66-A., dated the 6th July, 1910.—With reference to section 23 of the Guardians and Wards Act, VIII of 1890, as applied <sup>1</sup> to the Cantonment of Secunderabad and the Hyderabad Residency Bazars, \* \* the Resident is pleased to issue the following rules for the guidance of Collectors who are appointed to be guardians under the Act in the areas aforesaid.

\* \* \* \* \*

RULES.

<sup>2</sup>[The District Magistrate for the British Administered Areas in the Hyderabad State shall be the Collector within the Cantonment of Secunderabad and the Hyderabad Residency Bazars for all the purposes of the Act and he shall also be manager of the property of all minors for whom he is or may hereafter be appointed to be a guardian.]

2. *General report.*—As soon as possible after his appointment to be Manager of the property of any minor, the Collector shall submit to the Resident a report on the general condition of the property of such minor. The report shall be accompanied by four schedules showing—

- (1) All house and landed property belonging to the said minor, and in the case of house property the gross value and annual rent of each house, as well as of every area of land and portion of a house for which a separate lease or other agreement exists;
- (2) All personal property distinguishing between (a) cash, (b) jewellery, and (c) other property, and giving separately the description and value of each article;
- (3) All debts due to the minor and his estate distinguishing between (a) secured and (b) unsecured debts.
- (4) All debts or other liabilities due from the minor or his estate.

3. *Report on establishment.*—The Collector shall also report for the sanction of the Resident without delay, and shall give full details of, the expenditure which he considers necessary—

- (a) in his office for the collection of rent and the keeping of accounts;

<sup>1</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed, *supra*, p. 27.

<sup>2</sup> Substituted by Notification No. 17-J., dated the 23rd February, 1925. *Hyderabad Residency Orders*, 1925, Pt. I. p. 23.



(b) in the house of the minor for the food, clothing, maintenance, etc., of the minor and his establishment;

(c) for the education of the minor.

These fixed charges, as finally sanctioned shall be entered in a register in Form II.

4. It shall be open to the Collector to report for the sanction of the Resident from time to time any addition to, or alteration in, the scale of expenditure allowed for the minor.

5. *Receipts, expenditure and accounts.*—The Collector shall maintain a day book and a monthly balance-sheet in the prescribed Forms I and III.

6. The Collector shall submit to the Comptroller of India Treasuries, not later than the 15th of each month, an account current in Form IV showing all receipts and disbursements for the previous month. This account shall be accompanied by all counterfoil receipts and vouchers in support of payments and by a copy of the monthly balance-sheet prescribed in rule 5.

NOTE.—The details of the establishment bill need not ordinarily be given, but details of any changes referred to in rule 4 should be shown.

7. With the monthly account current for March and September the Collector shall forward to the Comptroller of India Treasuries for submission to the Resident a memorandum showing—

(a) the cash balance to the credit of the ward;

(b) any fresh investments or changes of investments;

(c) any improvements effected during the half-year, with general remarks on the condition of the ward's property.

8. Not later than the 1st February of each year the Collector shall submit for the sanction of the Resident, through the Comptroller of India Treasuries, a budget estimate in Form V of receipts and expenditure for the year commencing on the ensuing 1st April. These estimates will form the basis of all ordinary expenditure in connection with the ward's property. The budget estimate shall be accompanied by an explanation of any marked increases or decreases in receipts or expenditure, actual or proposed.

9. A portion of the estimated receipts, to be fixed by the Resident in each case, shall be set aside to allow for deficiencies and to serve as a working balance.

10. All valuable securities connected with the ward's property shall be forwarded to the Comptroller General for custody. The Collector shall obtain receipts for all securities so deposited.

11. (1) All monies received on behalf of the minor or his estate shall be remitted to the Treasury Officer for credit to the estate on the day on

which they are received, or, if they are received too late for remittance on that day, on the following day, or, if the treasury happens to be closed on the date of receipt, on the first working day.

*Exception.*—The Cantonment Magistrate, Secunderabad, will arrange to send receipts to the treasury on the days arranged for the remittance of Cantonment and Abkari Fund's collections

(2) All remittances must be accompanied by a *chalan* or invoice and by a pass book in Form VI.

(3) The Treasury Officer will fill in the pass book as the receipts are credited and payments made, and will strike the balance on the last working day of each month.

(4) The Collector shall see that the balance shown in the monthly account current tallies with that shown in the pass book.

12. All monies received to the credit of the ward shall be acknowledged by receipts in Form VII which should bear printed consecutive numbers, and they shall at the same time be entered in the account current.

13. All disbursements shall be made as far as possible by cheques on the treasury.

*NOTE.*—The Collector shall draw the amount required for the establishment charges on one cheque at the beginning of each month. He shall pay the employes as they come, and any undisbursed pay should be remitted to the treasury at the close of the month. The signature of the payee should be obtained in the establishment bill form at the time of payment.

14. Cheque books containing 50 cheques each will be supplied by the Treasury Officer. All cheque books shall be kept under lock and key by the Collector.

15. *Permanent advance.*—For contingent charges a permanent advance of Rs. 50 each for estates worth a lakh of rupees and over, and Rs. 25 each for estates of less value, shall be in charge of the Collector, who shall make payments therefrom as required.

16. For each payment the Collector shall obtain a sub-voucher from the payee, and, in cases of petty office expenses, a written detailed statement of the sums spent shall be drawn up.

17. These sub-vouchers shall be numbered consecutively, defaced or stamped "paid in cash," and entered in a separate permanent advance register in Form VIII. At the close of the financial year, this register shall be submitted in original to the Comptroller of India Treasuries who will, after scrutiny, return it to the Collector.

18. The permanent advance shall ordinarily be recouped on the last working day of the month, but may be recouped more often if necessary. Such recoupments shall be noted in the monthly account current as well as entered in the permanent advance register.

19. At times of recoupment the Collector shall compare the vouchers with the entries in the permanent advance register, shall see that the entries and totals are correct, and shall sign the register. The recoupment voucher may then be drawn in Form IX, and be enfaced with the usual payment order.

20. The recoupment shall always be in full of expenditure from the last recoupment to date, so that the balance in hand, after recoupment, shall always be the full amount of the advance. The serial numbers of sub-vouchers shall recommence with No. 1 after each recoupment.

21. The original advance and all subsequent advances shall be entered in the cash book as advances to the Collector, who, on receipt of the permanent advance, shall sign an acknowledgment for it in the permanent advance register in these terms.—

“ I acknowledge to have in my possession a permanent advance of Rs. (                      )                      only, which sum is due from me to the property of                      . I am personally accountable for the amount.”

A similar acknowledgment shall also be given by the holder on the 15th April of each year.

The Collector shall submit a *plus* and *minus* memorandum in the following form with his monthly accounts—

*Plus and minus memorandum of permanent advance.*

	Rs.
Balance of last month . . . . .	.
Add amount debited this month . . . . .	.
Total	_____
Deduct amount credited this month . . . . .	.
Balance	_____

22. *Payment orders and payment of claims.*—Every bill or other claim shall be checked by the Accountant, who, if it is found correct, shall endorse a payment order in words and figures on the bill and submit it to the Collector for orders.

23. If the bill is to be paid by cheque, the Collector shall, at the time of writing the cheque, enter on the bill “ Paid by cheque No.                      , dated                      .” The disbursement shall at once be entered in the account current.

24. Every payment, whether in cash or by cheque, shall be covered by a receipt, stamped if necessary, signed by the person to whom the money is due and to whom it is actually paid. A receipt signed by any other person is invalid.

25. All bills that have been paid shall be numbered consecutively for the month in order of payment, shall be stamped "paid" or "cancelled" and shall be pasted in a guard book.

Sub-vouchers for payments out of the permanent advance shall be attached to the recoupment voucher.

26. The salary bill of the establishment shall be drawn in Form No. X.

27. *Unforeseen expenditure.*—Except as provided in Rule 36, below, the Collector shall have power to sanction the payment of all budgetted expenditure and all expenditure from the permanent advance, and shall also, subject to the same proviso, have power to sanction, without previous reference to the Resident, petty expenditure not exceeding Rs. 25 in each case and Rs. 100 for the whole year on account of unforeseen charges. If, however, in the course of the year it becomes necessary to incur any expenditure in excess of those limits for which no provision has been made in the Budget Estimate, the Collector shall submit, through the Comptroller of India Treasuries, an application for the Resident's sanction explaining fully the necessity for the proposed expenditure. In this application it should also be stated how the proposed expenditure can be met, whether by appropriation of savings in the estimate under some other head of expenditure, by appropriation of an excess of the actual over the estimated opening balance of the year, or from the balance at credit of the ward.

28. *Surplus: its investment.*—In the case of any surplus arising out of the ward's property, the Collector shall first of all consider whether any permanent improvements of the immovable property might be effected with advantage. If so, he shall submit with the annual Budget Estimate a scheme showing the amount of expenditure, the nature of the improvement, and the return to be expected, for the sanction of the Resident.

29. If no such improvement is contemplated, he shall submit for the sanction of the Resident schemes for the investment of the surplus in His Highness the Nizam's Government paper or other approved securities. In the case of investments in Government of India securities, the purchase of such securities shall be made in accordance with the rules of the Financial Department.

30. The Collector shall furnish to the Comptroller of India Treasuries all papers called for by him, and shall explain all points on which the Comptroller may call for an explanation.

31. *Contribution towards cost of management.*—Towards the cost of management, the ward's property shall contribute a percentage which

shall be fixed by the Resident in each case, but shall not exceed 5 per cent. of the gross revenue arising from property, movable and immovable, under the control of the Collector, including the amount, if any, received from His Highness the Nizam's Court of Wards, to meet the excess of expenditure over income, and the amount shall be paid into the Government Treasury on or before the 31st March every year. The amount of contribution shall be calculated on the income of the preceding year ending on the 31st March.

32. *Law suits*.—No suit shall be instituted on behalf of a ward without the permission of the Resident.

33. The institution of suits against the wards or their estates shall be at once reported to the Resident: drafts of all written statements which it is proposed to file in Court shall be sent to the Resident for approval.

34. No appeal shall be filed without the sanction of the Resident.

35. The result of all suits shall be at once reported to the Resident.

36. No law charges, other than the payment of daily fees to a lawyer, in a case instituted or defended with the Resident's sanction, copying fees, process fees, the payment of diet money to witnesses, shall be incurred without the Resident's sanction whether budget provision under this head exist or not.

37. All suits shall be brought or defended, as the case may be, in the name of the Collector.

38. The following is a list of the registers, etc., prescribed in the foregoing rules:—

- I. Day Book or Cash Book.
- II. Register of sanctioned scheme.
- III. Monthly Balance Sheet.
- IV. Monthly Account Current.
- V. Budget Estimate.
- VI. Pass Book.
- VII. Form of Receipt.
- VIII. Permanent Advance Register.
- IX. Recoupment voucher of the Permanent Advance Account.
- X. Salary Bill of Establishment.



ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 325  
under Acts locally applied.)

FORM III.

[Rule 5.]

Balance sheet of the property for the month of

Opening balance . . . . .	
Receipts during the month as per monthly account current . .	
TOTAL .	
Disbursements during the month as per monthly account current .	
Balance .	
Details of balance—	
Balance in treasury as per pass book . . .	
Add—	
Amount received too late for remittance to the treasury	
TOTAL .	
Deduct—	
Outstanding cheques as detailed below . . .	
Net balance .	





ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 327  
under Acts locally applied.)

FORM V.

[Rule 8.]

*Budget Estimate of Receipts and Expenditure of the property of  
for the year*

Heads of receipts.	Actuals of the past year.	Estimate of the current year.	Estimate for the ensuing year.	REMARKS.
I.—Receipts from His Highness' Court of Wards.				
II.—Rent of house property in				
III.—Interest—				
(a) Government securities .				
(b) Other loans . . . .				
IV.—Advances recovered (to be struck out when all are recovered).				
V.—Miscellaneous . . . .				
Total receipts .				
Opening balance .				
GRAND TOTAL .				

FORM V—contd.

*Budget Estimate of Receipts and Expenditure of the property of  
for the year —contd.*

Heads of expenditure.	Actuals of the past year.	Estimate of the current year.	Estimate for the ensuing year.	REMARKS.
1. Establishment—				
(a) In office . . . .				
(b) Allowance for family main- tenance, servants, etc.				
(c) Other expenses . .				
2. Education—				
(a) Salary of teachers . .				
(b) Other charges . . .				
3. Taxes . . . . .				
4. Charities . . . . .				
5. Law expenses . . . . .				
6. Permanent advance . . .				
7. Contingencies . . . . .				
8. Investments—				
(a) Government securities .				
(b) Other loans . . . .				
9. Maintenance and repair of estate buildings or other property.				
10. Contribution towards cost of management.				
11. Miscellaneous . . . . .				
Total expenditure .				
Closing balance .				
GRAND TOTAL .				

**Form VI.**

*Pass Book.*

**[Rule 11 (2).]**

RECEIPTS.				DISBURSEMENTS.				REMARKS.
From whom received.	No. of challan.	Amount.		To whom paid.	No. and date of cheque.	Amount.		
		Rs.	A. P.			Rs.	A. P.	
								</

*Treasury Officer.*

[Rule 12.]

FORM VII.

*Receipt.*

(To be retained in the office of the Collector.)

No. \_\_\_\_\_, dated \_\_\_\_\_.

Received from \_\_\_\_\_

on account of \_\_\_\_\_

Rs. \_\_\_\_\_.

*Initials of Collector.*

(To be sent to the Comptroller, with the register, &c., monthly.)

No. \_\_\_\_\_ dated \_\_\_\_\_

Received on account of \_\_\_\_\_

(to be classified under the head \_\_\_\_\_)

Rs. \_\_\_\_\_

(Signed)

*Collector.*

(To be given to the person from whom the money is received.)

No. \_\_\_\_\_ dated \_\_\_\_\_

Received from \_\_\_\_\_

on account of \_\_\_\_\_

Rs. \_\_\_\_\_

(Signed.)

*Collector.*

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 331  
under Acts locally applied.)**

**FORM VIII.**

*Amount of Imprest Rs.*

*Permanent Advance Register.*

[Rule 17.]

EXPENDITURE.		RECOUPMENT OF THE PERMANENT ADVANCE.		
		Voucher.	Amount.	Initials of Collector.
SUB-VOUCHER.	Particulars.	CLASSIFICATION OF EACH SUB-VOUCHER.		
		Management of property—Contingencies.		
		Postage charges.		
		Stationery.		
		Hot weather charges.		
		Repair and purchase of furniture.		
		Purchase of books.		
		Telegrams.		
		Municipal taxes.		
		Laveries.		
		Petty contingencies.		
		Law charges.		
		Total.		
Date.	S. No.	Amount.	Total	

332 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders under Acts locally applied.)

FORM IX.

[Rule 19.]

*Recoupment Voucher of the Permanent Advance Account of*

*No. of Voucher.*

*Date.*

*No. of sub-vouchers covered by this recoupment.*

*Being expenditure incurred from to*

*Amount of this recoupment voucher Rs.*

*Received contents and certified that I have compared the entries in the P. A. Register with the sub-vouchers and have cancelled the latter, so that they cannot be used again.*

*Collector.*

CLASSIFICATION OF CHARGES COVERED BY THIS VOUCHER.

Heads of Account.	Amount.
<div> <div>Management of property—Contingencies.</div> <div> <div>Postage charges.</div> <div>Country stationery.</div> <div>Hot weather charges.</div> </div> </div>	

Pay Rs. ( )

only.

*Allotment for current year.*

*Expenditure including this bill ...*


*Balance available ...*

*Dated the*

*19 .*

*Collector.*

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 333  
under Acts locally applied.)

FORM X.

[Rule 26.]

Salary Bill of Establishment for the month of 19. .

Property of

Name.	Post.	Pay.	Fines.	Income- tax.	Other de- ductions, if any.	Net amount payable.	Signature of payee.		

Certified that payments have been made to the proper person.

Dated the 19 .

Collector.

Pay Rupees ( )

only.

Collector.

[Hyderabad Residency Orders, 1910, Pt. I, p. 94.]

INDIAN RAILWAYS ACT, 1890.

*Rules (a) for working open lines of railway or railways under construction and (b) regarding accidents. Delegation of powers to the Resident as Local Government in the Railway lands.*

No. 784-I. B., dated the 9th April, 1913.—Printed in Appendix XXII.

*Delegation of powers to the Resident.*

No. 1334-I., dated the 23rd March, 1891. 1\* \* \* \*

2. In exercise of the power conferred by section 144 of the said Indian Railways Act, the Governor General in Council is pleased to delegate to the Resident at Hyderabad, to the extent and subject to the conditions hereinafter specified, the following powers and functions which are now vested in him under the said Act: the powers and functions hereby delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled, as the Governor General in Council may from time to time think fit:—

- (1) *Sections 7, 9 and 11.*—All the powers and functions of the Governor General in Council, subject to the proviso that the exercise and discharge of such powers and functions will not entail any expenditure in excess of the general powers of sanction of the Resident.
- (2) *Section 51, clauses (a), (b), (c), (d) and (e), and section 55.*—All the powers and functions of the Governor General in Council.
- (3) *Section 63.*—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.
- (4) *Section 83.*—The power of notifying the Magistrates and Police-officers to whom notices of Railway accidents are to be given.

[*Gazette of India*, 1891, Pt. I, p. 169.]

*Authority to the Secretary to the Railway Board to sign documents.*

No. 802, dated the 24th March, 1905.—Printed in Appendix XVIII.

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<sup>1</sup> Cancelled by Notification No. 582-I. B., dated the 22nd March, 1913. *Gazette of India*, 1913, Pt. I, p. 803.



PRISONS ACT, 1894.

*The First Assistant Resident<sup>1</sup> appointed Inspector-General of Jails in Secunderabad.*

No. 6, dated the 16th January, 1904.—It is hereby noticed that in exercise of the power conferred by section 5 of the Prison Act, 1894 (IX of 1894), as applied to the Cantonment of Secunderabad, the Resident at Hyderabad has appointed, with effect from 1st October 1903, the First Assistant<sup>1</sup> to the Resident at Hyderabad for the time being to be the Inspector General of Jails for the aforesaid Cantonment in place of the Inspector-General of Jails, Hyderabad Assigned Districts, and so to exercise, subject to his orders, general control and superintendence over the Jail at Secunderabad.

[Hyderabad Residency Orders, 1904, Pt. I, p. 58.]

REFORMATORY SCHOOLS ACT, 1897.

*Rules defining what youthful offenders may be sent to Reformatory Schools and regulating the period of their detention.*

No. 349, dated the 7th November, 1901.—The Resident is pleased to make the following rules under section 8, clause 3 (a) and (b) of the Reformatory Schools Act, 1897 (VIII of 1897), as applied<sup>2</sup> to the Hyderabad Assigned Districts, the Hyderabad Residency Bazars, the Hyderabad Contingent Stations of Aurangabad, Bolarum, \* \* and the railway lands<sup>3</sup> in the territories of His Highness the Nizam of Hyderabad \* \* :—

*Clause 3 (a).*

1. No boy, except for special reasons, shall be sent to a Reformatory who—

- (a) is less than ten years of age, or
- (b) has been convicted of murder or of an offence punishable under section 376 or 377 of the Indian Penal Code, or
- (c) is for the first time convicted of a minor offence, such as petty theft, and is under parental or other legal control, or
- <sup>4</sup>[(d) suffers from any physical or mental defect which is likely to interfere seriously with his education, or to require special care of him, or to make him an undesirable companion for other youthful offenders.]

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<sup>1</sup> Now designated Secretary to the Resident.

<sup>2</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed, *supra*, p. 27.

<sup>3</sup> Includes the railway lands in Berar.

<sup>4</sup> Added by Notification No. 106-J., dated the 10th October, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 327.

*Clause 3 (b).*

1. The period of detention in a Reformatory shall ordinarily not exceed five years.

[*Hyderabad Residency Orders*, 1901, Pt. I, p. 323.]

*Reformatory School at Yeraoda appointed for reception of youthful offenders from the Administered Areas.*

*No. 1240, dated the 28th October, 1898.*—In exercise of the power conferred by section 15, sub-section (I), of the Reformatory Schools Act, 1897 (VIII of 1897), as applied<sup>1</sup> \* \* to the Hyderabad Assigned Districts, the Hyderabad Residency Bazars, the Cantonment of Secunderabad, the Hyderabad Contingent Stations of Aurangabad, Bolarum, \* \* and the railway lands<sup>2</sup> in the territories of His Highness the Nizam of Hyderabad, the Governor General in Council is pleased to direct that the Reformatory School at Yeraoda in the Bombay Presidency shall be available for the reception of youthful offenders directed to be sent to the Reformatory School by any Court or Magistrate in the said areas.

[*Gazette of India*, 1898, Pt. I, p. 1075.]

LEPERS ACT, 1898.

*Leper Asylum to which lepers may be sent from Secunderabad, Aurangabad and the Residency Bazars.*

*No. 92-J., dated the 6th October, 1908.*—Under section 3 of the Lepers Act, 1898 (III of 1898), as applied<sup>1</sup> to the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad \* \* the Resident is pleased to appoint a part of the Leper Asylum at Chandkuri in the Drug District of the Central Provinces, maintained by the Mission to Lepers in India and the East, to be a Leper Asylum for the purposes of the Act as applied, and to specify the undermentioned local areas as those from which lepers may be sent to that Asylum:—

The Hyderabad Residency Bazars and the Cantonments of Secunderabad and Aurangabad.

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 136.]

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<sup>1</sup> See now Notification No 260-J., dated the 24th April, 1929. Printed, *supra*, p. 27.

<sup>2</sup> Includes the railway lands in Berar.

*Inspectors of Lepers for Secunderabad, Aurangabad and the Residency Bazar.*

No. 95-J., dated the 6th October, 1908.—Under section 4 of the Lepers Act, 1898 (III of 1898), as applied<sup>1</sup> to the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased to appoint the undermentioned Medical Officers to be Inspectors of Lepers for the areas specified against each:—

1. In the Cantonment of The Staff Surgeon, Secunderabad.  
Secunderabad.
2. In the Hyderabad Resi- The Assistant Surgeon in subor-  
dency Bazar. dinate medical charge of the  
Residency Hospital.
3. In the Cantonment of The Senior Medical Officer,  
Aurangabad. Aurangabad.

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 136.]

*Trades and acts prohibited to lepers in Secunderabad, Aurangabad and the Residency Bazar.*

No. 21, dated the 17th April, 1903.—Under section 9 of the Lepers Act, 1898 (III of 1898), as applied to the Hyderabad Assigned Districts and other areas<sup>1</sup> under this Administration \* \* the Resident is pleased to order that no leper shall, on or after the 1st May 1903, within the areas specified in Residency Orders notification<sup>2</sup> No. 19, dated the 17th April, 1903:—

- (a) personally prepare for sale or sell any article of food or drink or any drugs or clothing intended for human use: or
- (b) bathe, wash clothes or take water from any public well or tank debarred by any municipal or local bye-law from use by lepers: or
- (c) drive, conduct, or ride in any public carriage plying for hire other than a railway carriage.

[*Hyderabad Residency Orders*, 1903, Pt. I, p. 131.]

*Appellate authority as regards issue or refusal of certificate.*

No. 94-J., dated the 6th October, 1908.—Under section 15 of the Lepers Act, 1898 (III of 1898), as applied<sup>3</sup> to the areas in the Hyderabad

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<sup>1</sup> For the Administered Areas see now Notification No. 260-I., dated the 24th April, 1929. Printed, *supra*, p. 27.

<sup>2</sup> Cancelled by Notification No. 92-J., dated the 6th October, 1908. Printed, *supra*, p. 336, which specifies the same areas

<sup>3</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed, *supra*, p. 27.

State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased to appoint the Residency Surgeon at Hyderabad as the officer to whom appeals against the issue or refusal of a certificate shall be presented.

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 136.]

*Procedure as regards sending lepers to the Asylum.*

No. 93-J., dated the 6th October, 1908.—In exercise of the powers conferred by section 16 of the Lepers Act, 1898 (III of 1898), as applied<sup>1</sup> to the areas in the Hyderabad State, in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased to issue the following rules:—

1. When a Magistrate sends a leper to the Asylum under sections 8 and 10 he shall cause to be attached to the warrant of detention a descriptive roll containing the following particulars:—

- (1) Name.
- (2) Father's name.
- (3) Age, height and general appearance (including any distinguishing indelible marks).
- (4) Sex and civil condition.
- (5) Caste or religion.
- (6) Place of abode.
- (7) Occupation.
- (8) Family history if known.
- (9) List of property sent with him.

2. No Magistrate shall send a leper to the Asylum without first ascertaining from the Superintendent that accommodation is available.

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 136.]

CODE OF CRIMINAL PROCEDURE, 1898.

*Post mortem examinations in cases occurring in the railway lands.*

No. 65, dated the 11th September, 1905.—It is hereby notified that the Resident is pleased to appoint the Apothecaries and Hospital Assistants in charge of the Railway Dispensaries at Maunad, Jalna, Purna, Lalaguda, Secunderabad and Kazipett to be Medical Officers to conduct *post mortem* examinations in cases on His Highness the Nizam's Guaranteed State Railways under paragraph 3, section 174, Criminal Procedure Code.

[*Hyderabad Residency Orders*, 1905, Pt. I, p. 150.]

<sup>1</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed, *supra*, p. 27.

*Post mortem examinations in cases occurring in the railway lands.*

*No. 67, dated the 14th September, 1905.*—In continuation of notification No. 65<sup>1</sup>, dated the 11th September, 1905, it is further notified that, with the concurrence of His Highness the Nizam's Government, the Resident is pleased to appoint the Medical Officer in charge of the Civil Dispensary at Wadi to be the Officer to conduct *post mortem* examinations in cases of deaths occurring on the Great Indian Peninsula and Madras Railways in His Highness' territory.

[*Hyderabad Residency Orders*, 1905, Pt. I, p. 151.]

#### INDIAN STAMP ACT, 1899.

##### *Appointment of Inspector-General of Stamps.*

*No. 4, dated the 16th January, 1904.*—It is hereby notified that the Resident at Hyderabad has appointed, with effect from 1st October, 1903, the First Assistant<sup>2</sup> to the Resident at Hyderabad for the time being to be the Inspector-General of Stamps for the Hyderabad Residency Bazars, the Cantonments of Secunderabad and Aurangabad, and the railway lands in the territories of His Highness the Nizam of Hyderabad  
\* \* \* in place of the Inspector-General of Stamps, Hyderabad Assigned Districts.

[*Hyderabad Residency Orders*, 1904, Pt. I, p. 58.]

##### *Appointment of Collector.*

*No. 23-J., dated the 23rd February, 1925.*—The Resident is pleased to notify under section 2, clause (9) sub-clause (b) of the Indian Stamp Act, 1899 (II of 1899), as applied<sup>3</sup> to the British Administered Areas in the Hyderabad State, that the District Magistrate is appointed to be the "Collector" for the said areas.

[*Hyderabad Residency Orders*, 1925, Pt. I, p. 22.]

##### *Reduction and remission of duties in the Administered Areas.*

*No. 51-I. B., dated the 7th January, 1910.*—In exercise of the powers conferred by section 9, clause (a) of the Indian Stamp Act, 1899 (II of 1899), as applied<sup>3</sup> to the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad (hereinafter referred to as the said areas), and in supersession of all previous notifications issued from time to time under the said clause of the said section, the Governor General in Council is pleased to

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<sup>1</sup> Printed on p. 338.

<sup>2</sup> Now designated Secretary to the Resident.

<sup>3</sup> See now Notification No. 260-L, dated the 24th April, 1929. Printed, *supra*, p. 27.

reduce to the extent set forth in each case, the duties chargeable under the said Act as so applied in respect of the instruments hereinafter described under Nos. 20 and 25 and to remit the duties so chargeable in respect of instruments of the other classes hereinafter described:—

*A.—Forest Department.*

1. Agreement and security bond required to be executed, under the rules to regulate the training and appointments in the Subordinate Forest Service, by a student and his surety previous to his entry into the Imperial Forest School, Dehra Dun, or the Burma Forest School, Tharrawaddy.

*B.—Medical Department.*

2. Security bond taken under the authority of the Government from a medical student of the Apothecary, Assistant Surgeon, or Hospital Assistant class, and his surety, or from the surety of such a student.

*C.—Post Office and Telegraph Department.*

3. Letter which a person depositing money in a Post Office Savings Bank, as security to the Government or to a local authority for the due execution of an office or for the fulfilment of a contract or for any other purpose, is required to address to the Postmaster in charge of the Post Office Savings Bank agreeing to special conditions with respect to the application and withdrawal of the money deposited and the payment of interest accruing due thereon.

4. Receipt given by, or on behalf of, a depositor in a Post Office Savings Bank for a sum of money withdrawn from any such bank.

5. Receipt endorsed by the payee on a Postal Money Order.

6. Receipt given by the addressee for a deposit exceeding twenty rupees made for the payment of a reply to a telegraphic message.

*D.—Railways and Inland Steamer Companies.*

7. Agreement made with a Railway Company or Administration or an Inland Steamer Company for the conveyance of goods.

8. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a passenger permitted to travel without payment of fare indemnifying such authority or Company from any claim for damages in case of accident or injury.

9. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a consignee (when the railway receipt or bill of lading is not produced) in respect of the delivery of articles carried at half parcels rates or at goods rates, namely, fresh fish, fruits, vegetables, bazar baskets, bread, meat, ice, and other perishable articles.

10. Agreement made with a Railway Company or Administration which purports to limit the responsibility of the Company or Administration as declared by the Indian Railways Act, 1890 (IX of 1890), section 72, sub-section (1), and is in a form approved by the Governor General in Council under sub-section (2) of that section.

11. Receipt or bill of lading issued by a Railway Company or Administration or an Inland Steamer Company for the fare for the conveyance of passengers or goods, or both, or animals, or given to such Company or Administration or Inland Steamer Company for the refund of an overcharge made in respect of such fare.

12. Receipt given by, or on behalf of, a depositor in State Railway Provident Institution or in the East Indian Railway Savings Bank for a sum of money withdrawn from any such institution or bank.

13. Debenture bond of the loan of Rs. 20,00,000 raised by the Government of His Highness the Maharaja of Mysore for the construction of a line of railway from Bangalore to Tiptoor, where the said bond is negotiated in the said areas.

*E.—Government Officers and Contractors.*

14. Agreement paper passed by a contractor of the Supply and Transport Corps when his security deposit is transferred to a Post Office Savings Bank.

15. Instrument in the nature of a memorandum or agreement furnished to, or made or entered into with, a Supply and Transport Officer by a contractor.

16. Agreement or declaration by which a tender made to a Supply and Transport Officer is accepted as a contract, where the deposit of the contractor as security for his contract is made in Government of India Promissory Notes or in cash.

17. Instrument in the nature of a memorandum, <sup>1</sup>[agreement or security bond] furnished to, or made or entered into with the Ordnance Department, the Army Clothing Department, the Forest Department, or the Public Works or State Railway Department by a contractor for the due performance of his contracts.

18. Mortgage deed executed by an officer of Government in Civil or Military employ for securing the repayment of an advance received by him from the Government for the purpose of constructing or purchasing a dwelling house for his own use.

19. Instrument of reconveyance of mortgaged property executed by Government in favour of an officer in Civil or Military employ on the

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<sup>1</sup> See Notification No. 2601-I. B., dated the 19th December, 1912. *Gazette of India*, 1912, Pt. I, p. 1686.

repayment of an advance received by him from the Government for the purpose of constructing or purchasing a dwelling house for his own use.

20. Agreement which has been or may be entered into in compliance with the rules prescribed by the resolution of the Government of India in the Finance Department (Military Finance), No. 2195-Accts., dated the 25th October 1907, regulating the deposits of regimental funds with private banks or firms or such other rules for that purpose as may hereafter be in force. Duty reduced to the amount payable in respect of a bond for like amount or value or to Rs. 5 whichever shall be less.

*F.—Other Documents.*

21. Bill of exchange drawn in Mysore on which the full rate of stamp duty has been paid there, where the same is negotiated in the said areas.

22. Cheque drawn in Mysore on which the full rate of stamp duty has been paid there, where the same is negotiated in the said areas.

23. Receipt given for payment of interest on Government of India Promissory Notes.

24. Letter of authority or power-of-attorney executed for the sole purpose of authorising one or more of the joint holders of a Government security to give on behalf of the other or others of them or any one or more of them, a discharge for interest payable on such security or on any renewed security issued in lieu thereof.

25. Instrument evidencing an agreement relating to the hypothecation of moveable property where such hypothecation has been made by way of security for the repayment of money advanced or to be advanced by way of loan or of an existing or future debt. Duty reduced to the amount chargeable on a bill of exchange under Article 13 (b) of Schedule I of the Stamp Act, 1899, for the amount secured, if such loan or debt is repayable on demand or more than three months from the date of the instrument; and to half that amount, if such loan or debt is repayable not more than three months from the date of the instrument.

26. Instrument executed in the areas mentioned in the Schedule hereto attached in respect of which the stamp duty with which it is chargeable under the stamp law for the time being in force in such areas has been paid in accordance with the said law:—

SCHEDULE.

*Areas.*

1. British India.

2. Agency territories in Baluchistan.

3. Abu and Anadra including the road leading from the Abu Sanitarium to the Abu Road Railway Station and to the Bazar at Kharari.



4. The Cantonments of Mhow, Neemuch, Nowgong (including the Civil Lines) <sup>1</sup>[and Sehore] in the Central India Agency, and of <sup>1</sup>[Baroda and Deesa].

5. The Indore Residency Bazars.

6. Railway lands within the limits of the Central India and Rajputana Agencies over which the Governor General in Council exercises jurisdiction.

7. Berar.

8. The Civil and Military Station of Bangalore.

<sup>1</sup>9. Railway lands in the Mysore State over which the Governor General in Council exercises jurisdiction.

<sup>1</sup>10. Railway lands in the Baroda State and in States in the political control of the Government of Bombay, over which jurisdiction has been ceded to the British Government and to which the provisions of the Indian Stamp Act, 1899, have been applied.

<sup>1</sup>11. Railway lands in Jammu and Kashmir and in States in the Punjab over which the Governor General in Council exercises jurisdiction.

[*Gazette of India*, 1910, Pt. I, p. 35.]

*Remission of duty on copies of entries in registers and records under the Births, Deaths and Marriages Registration Act, 1888, given to a soldier, sailor, non-commissioned officer or petty officer in Secunderabad.*

No. 2033-I., dated the 18th May, 1892.—In exercise of the powers conferred by <sup>2</sup>section 8 of the Indian Stamp Act (I of 1879), as applied<sup>2</sup> to the Cantonment of Secunderabad \* \* and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the provisions of the notification of the Government of India in the Finance Department,<sup>3</sup> No. 4345, dated the 19th October, 1891, shall apply to the Cantonment of Secunderabad, subject to the following modifications:—

(1) For the words “ Act VI of 1886 ” in clause (1) read “ the Secunderabad Births, Deaths, and Marriages Registration Law, 1888.”

(2) For the words “ under section 25 of the said Act,” in clause (2) read “ under section 24 of the said Law.”

<sup>1</sup> See Notification No. 2601-I. B., dated the 19th December, 1912. *Gazette of India*, 1912, Pt. I, p. 1686. Deesa Cantonment has been abolished.

<sup>2</sup> See now section 9 of the Indian Stamp Act, 1899, as applied by Notification No. 260-I., dated the 24th April, 1929. Printed, *supra*, p. 27.

<sup>3</sup> *Gazette of India*, 1891, Pt. I, p. 602.

(3) For the words “ under section 35 of the said Act ” read “ under section 32 of the said Law.”

[*Gazette of India*, 1892, Pt. I, p. 315.]

*Similar remission in the Residency Bazars.*

No. 1837-I., dated the 30th May, 1894.—In exercise of the powers conferred by section 8 of the Indian Stamp Act (I of 1879), as applied<sup>1</sup> to the Hyderabad Residency Bazars, the Governor General in Council is pleased to direct that the provisions of notification<sup>2</sup> No. 4345, dated the 19th October, 1891, issued by the Government of India in the Department of Finance and Commerce, shall apply to the Hyderabad Residency Bazars.

[*Gazette of India*, 1894, Pt. I, p. 298.]

*Remission of duty in Administered Areas on mortgage deeds to secure repayment of loans for purchase of motor cars.*

No. 1988-I. B., dated the 19th September, 1914.—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), as applied to the Administered Areas in the Hyderabad State, the Governor General in Council is pleased to remit, with effect from the 15th August, 1914, the duty chargeable under Article 40, clause (b), of schedule I of the said Act, as so applied, on mortgage deeds executed by an officer of Government for securing the repayment of an advance received by him from the Government for the purpose of purchasing a motor car for his own use.

[*Gazette of India*, 1914, Pt. I, p. 1466.]

*Remission of duty on receipts endorsed on cheques or on bills of exchange payable on demand.*

No. 289-I., dated the 14th May, 1928.—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899), as applied to the Administered Areas in the Hyderabad State, the Governor General in Council is pleased to remit with effect from the 1st July, 1927, the duty with which receipts endorsed on cheques or on bills of exchange payable on demand are chargeable under Article 53 of Schedule I to the said Act.

[*Gazette of India*, 1928, Pt. I, p. 502.]

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<sup>1</sup> See now section 9 of the Indian Stamp Act, 1899, as applied by Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

<sup>2</sup> *Gazette of India*, 1891, Pt. I, p. 602.

*Stamp duty on certified copies or extracts of baptismal, marriage and burial certificates to be denoted by adhesive court fee labels in Secunderabad.*

No. 1246-I., dated the 19th March, 1891.—In exercise of the power conferred by section 9 of the Indian Stamp Act, I of 1879, as applied to the Cantonment of Secunderabad \* \* and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the provisions (so far as they may be applicable) of the notification<sup>2</sup> No. 2036, dated the 30th June, 1882, issued by the Department of Finance and Commerce under the aforesaid section, shall apply to the aforesaid Cantonment from the <sup>3</sup>[1st September 1891.]

[*Gazette of India*, 1891, Pt. I, p. 149.]

*Stamp duty on certified copies or extracts of baptismal, marriage and burial certificates to be denoted by adhesive court fee labels in the Residency Bazars.*

No. 1835-I., dated the 30th May, 1894.—In exercise of the powers conferred by section 9 of the Indian Stamp Act (I of 1879), as applied to the Hyderabad Residency Bazars, \* \* the Governor General in Council is pleased to direct that the provisions (so far as they may be applicable) of the notification<sup>2</sup> No. 2036, dated the 30th June, 1882, issued by the Government of India in the Department of Finance and Commerce under the aforesaid section shall apply to the aforesaid Hyderabad Residency Bazars.

[*Gazette of India*, 1894, Pt. I, p. 297.]

*Conversion rates for calculating Stamp duty.*

No. 1578-I. B., dated the 25th May, 1921.—In exercise of the powers conferred by section 20, sub-section (2) of the Indian Stamp Act, 1899 (II of 1899), as applied to the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to prescribe that, with effect from the 1st June, 1921, and until further notice, one hundred rupees of the currency of British India shall be convertible into one hundred and sixteen *Hali Sikka* rupees for the purpose of calculating stamp duty.

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<sup>1</sup> See now section 10 of the Indian Stamp Act, 1899, as applied by Notification No. 260-I., dated the 24th April, 1929. Printed, *supra*, p. 27.

<sup>2</sup> *Gazette of India*, 1882, Pt. I, p. 257.

<sup>3</sup> Substituted by Notification No. 3343-I., dated the 13th August, 1891. *Gazette of India*, 1891, Pt. I, p. 476.

2. The Notification of the Government of India in the Foreign and Political Department No. 2215-I. B., dated the 24th April 1919, is hereby cancelled.

[*Gazette of India*, 1921, Pt. I, p. 780.]

No. 287-I., dated the 1st May, 1929.—In exercise of the power conferred by sub-section (2) of section 20 of the Indian Stamp Act, 1899 (II of 1899), as applied to the Administered Areas in the Hyderabad State and of all other powers in this behalf and in supersession of the notification of the Government of India in the Foreign and Political Department No. 866-I. B., dated the 24th May, 1917, the Governor General in Council is pleased to prescribe the following rates of exchange for the conversion of the currencies hereinafter specified respectively into the currency of British India for the purposes of calculating *ad valorem* duty on instruments chargeable therewith:—

Currency.	Sum.	Equivalent in currency of British India.
		Rs. A. P.
British . . . . .	£ 1 sterling . . . . .	13 5 4
French . . . . .	1 franc . . . . .	0 1 9
German . . . . .	1 Renten Mark . . . . .	0 10 9
United States of America or Canadian . . . . .	1 dollar . . . . .	2 12 0
Chinese (Shanghai) . . . . .	1 tael . . . . .	2 2 6
Straits (British Asiatic Possessions) . . . . .	1 dollar . . . . .	1 8 0
Hongkong . . . . .	1 „ . . . . .	1 9 6
Mexican . . . . .	1 „ . . . . .	1 9 6
Japanese . . . . .	1 yen . . . . .	1 2 6
Persian . . . . .	1 kran . . . . .	0 5 0

[*Gazette of India*, 1929, Pt. I, p. 663.]

#### *Hyderabad Residency Stamp Rules, 1925.*

No. 408-I., dated the 12th August, 1925.—In exercise of the powers conferred by the Indian Stamp Act, 1899 (II of 1899), as applied to the Administered Areas in the Hyderabad State, and in supersession of the notification of the Government of India in the Foreign and Political Department No. 865-I. B., dated the 24th May, 1917, and of all notifi-

cations amending the same, the Governor General in Council is pleased to make the following rules, namely:—

RULES UNDER THE INDIAN STAMP ACT, 1899, AS APPLIED  
TO THE ADMINISTERED AREAS IN THE HYDERABAD  
STATE.

CHAPTER I.

*Preliminary.*

1. *Short title.*—These rules may be called the Hyderabad Residency Stamp Rules, 1925.

2. *Definitions.*—In these rules—

- (a) “The Act” means the Indian Stamp Act, 1899 (II of 1899), as applied to the Administered Areas in the Hyderabad State.
- (b) “Section” means a section of the Act.
- (c) “Schedule” means a schedule of the Act.
- (d) “The Superintendent of Stamps” means any officer appointed by the Resident at Hyderabad to perform the functions of a Superintendent of Stamps.

3. *Description of Stamps.*—(1) Except as otherwise provided by the Act or by these rules,—

- (i) all duties with which any instrument is chargeable shall be paid, and such payment shall be indicated on such instrument, by means of stamps issued by Government for the purposes of the Act, and
- (ii) a stamp which by any word or words on the face of it is appropriated to any particular kind of instrument, shall not be used for an instrument of any other kind.

(2) There shall be two kinds of stamps for indicating the payment of duty with which instruments are chargeable, namely:—

- (a) impressed stamps, and
- (b) adhesive stamps.

CHAPTER II.

*Of Impressed Stamps.*

4. *Hundis.*—(1) Hundis, other than hundis which may be stamped with an adhesive stamp under section 11, shall be written on paper as follows, namely:—

- (a) A hundi payable otherwise than on demand, but not at more than one year after date or sight, and for an amount not

exceeding rupees thirty thousand in value, shall be written on paper on which a stamp of the proper value bearing the word 'hundi' has been engraved or embossed.

(b) A hundi for an amount exceeding rupees thirty thousand in value, or payable at more than one year after date or sight, shall be written on paper supplied for sale by the Government, to which a label has been affixed by the Superintendent of Stamps, and impressed by such officer in the manner prescribed by rule 11.

(2) Every sheet of paper on which a hundi is written shall be not less than  $8\frac{3}{4}$  inches long and  $5\frac{1}{2}$  inches wide and no plain paper shall be joined thereto.

(3) The provisions of sub-section (1) of rule 7 shall apply in the case of hundis.

5. *Promissory notes and bills-of-exchange*.—A promissory note or bill-of-exchange shall, except as provided by section 11 or by rules 13 and 16, be written on paper on which a stamp of the proper value, with or without the word 'hundi' has been engraved or embossed.

6. *Other instruments*.—Every other instrument chargeable with duty shall, except as provided by section 11 or by rule 13, be written on paper on which a stamp of the proper value, not bearing the word 'hundi' has been engraved or embossed.

7. *Provision where single sheet of paper is insufficient*.—(1) Where two or more sheets of paper on which stamps are engraved or embossed are used to make up the amount of duty chargeable in respect of any instrument, a portion of such instrument shall be written on each sheet so used.

(2) Where a single sheet of paper, not being paper bearing an impressed hundi-stamp, is insufficient to admit of the entire instrument being written on the side of the paper which bears the stamp, so much plain paper may be subjoined thereto as may be necessary for the complete writing of such instrument:

Provided that in every such case a substantial part of the instrument shall be written on the sheet which bears the stamp before any part is written on the plain paper subjoined.

8. *One anna and two annas impressed stamps*.—The duty on any instrument which is chargeable with a duty of one anna under the Act or of two annas under articles 5, 19, 36, 37, 43, 49 and 52 of Schedule I, may be denoted by a coloured impression marked on a skeleton form of such instrument by the Superintendent of Stamps.

9. *'The proper officer'*.—The Superintendent of Stamps is empowered to affix and impress labels, and he shall be deemed to be 'the proper officer' for the purposes of the Act and of these rules.

10. *Affixing and impressing of labels by proper officer permissible in certain cases.*—Labels may be affixed and impressed by the proper officer in the case of any of the following instruments, namely:—

- (i) those specified in Appendix I and the counterparts thereof other than instruments on which the duty is less than two annas;
- (ii) those specified in Appendix II, when written in any European language, and accompanied, if the language is not English, by a translation in English:

Provided that the Resident at Hyderabad may direct that this rule shall apply, subject to any conditions which it may prescribe, to agreements or memoranda of agreements such as are specified in Appendix II when written in any oriental language.

11. *Mode of affixing and impressing labels.*—(1) The proper officer shall, upon any instrument specified in rule 10 being brought to him before it is executed, and upon application being made to him, affix thereto a label or labels of such value as the applicant may require and pay for, and impress such label or labels by means of a stamping-machine, and also stamp or write on the face of the label or labels the date of impressing the same. In the case of instruments written on parchment, the labels shall be further secured by means of metallic eyelets.

(2) On affixing any label or labels under this rule, the proper officer shall, where the duty amounts to rupees five or upwards, write on the face of the label or labels his initials, and where the duty amounts to rupees twenty or upwards, shall also attach his usual signature to the instrument immediately under the label or labels.

(3) Any principal assistant of the proper officer empowered by the Resident at Hyderabad in this behalf may discharge the functions of the proper officer under sub-rule (2).

12. *Certain instruments to be stamped with impressed labels.*—(1) Instruments executed out of the Administered Areas in the Hyderabad State and requiring to be stamped after their receipt in the Administered Areas in the Hyderabad State (other than instruments which, under section 11 or rule 13, may be stamped with adhesive stamps) shall be stamped with impressed labels.

(2) Where any such instrument as aforesaid is taken to the Collector under section 18, sub-section (2), the collector shall send the instrument to the proper officer, remitting the amount of duty paid in respect thereof; and the proper officer shall stamp the instrument in the manner prescribed by rule 11, and return it to the Collector for delivery to the person by whom it was produced.

### CHAPTER III.

#### *Of Adhesive Stamps.*

13. *Use of adhesive stamps on certain instruments.*—The following instruments may be stamped with adhesive stamps, namely :—

- (a) Bills-of-exchange payable otherwise than on demand and drawn in sets, when the amount of duty does not exceed one anna for each part of the set.
- (b) Transfers of debentures of public companies and associations.
- (c) Copies of maps and plans and printed copies when chargeable with duty under Article 24 of Schedule I.
- (d) Instruments chargeable with duty under Articles 5 (a) and (b) and 43 of Schedule I.
- (e) Instruments chargeable with stamp duty under Article 47 of Schedule I.
- (f) Instruments chargeable with stamp duty under Articles 19, 36, 37, 49 (a) (ii) and (iii) and 52 of Schedule I.

13-A. Notwithstanding anything contained in these rules whenever the stamp duty payable under the Act in respect of any instrument cannot be paid exactly by reason of the fact that the necessary stamps are not in circulation, the amount by which the payment of duty shall on that account be in defect shall be made up by the affixing of one-anna and half-anna adhesive stamps such as are described in rule 15 provided that the Resident at Hyderabad may direct that instead of such stamps adhesive court-fee stamps shall be used for the purpose.

14. *Supply of deficient duty on transfer of share.*—When any instrument of transfer of shares in a Company or Association is written on a sheet of paper on which a stamp of the proper value is engraved or embossed, and the value of the stamp so engraved or embossed is subsequently, in consequence of a rise in the value of such shares, found to fall short of the amount of duty chargeable under article 62 (a) of Schedule I, one or more adhesive stamps bearing the words ' Share Transfer ' may be used to make up the amount required.

15. *Adhesive stamp or stamps denoting duty of one anna or half anna* used to denote duty shall be the requisite number of stamps bearing the words ' Four annas ' or ' Two annas ' or ' One anna ' or ' Half-anna ' and such stamps may be inscribed for use either for postage or for revenue, or for both postage and revenue.



16. *Special adhesive stamps to be used in certain cases.*—The following instruments when stamped with adhesive stamps shall be stamped with the following descriptions of such stamps, namely:—

- (a) Bills-of-exchange, cheques and promissory notes drawn or made out of the Administered Areas in the Hyderabad State and chargeable with a duty of more than one anna: with stamps bearing the words ' Foreign Bill '.
- (b) Separate instruments of transfer of shares and transfers of debentures of Public Companies and Associations: with stamps bearing the words ' Share Transfer '.
- (c) Notarial acts: with foreign bill stamps bearing the word 'Notarial '.
- (d) Copies of maps or plans and printed copies certified to be true copies: with court-fee stamps.
- (e) Instruments chargeable with stamp-duty under Articles 5 (a) and (b) or 43 of Schedule I: with stamps bearing the words ' Agreement ' or ' Brokers ' Note, respectively.
- (f) Instruments chargeable with stamp-duty under Article 47 of Schedule I: with stamps bearing the words " Insurance ".

#### CHAPTER IV.

##### *Miscellaneous.*

17. *Provision for cases in which improper description of stamp is used.*—When an instrument bears a stamp of proper amount, but of improper description, the Collector may, on payment of the duty with which the instrument is chargeable, certify by endorsement that it is duly stamped:

Provided that, if application is made within three months of the execution of the instrument, and the Collector is satisfied that the improper description of stamp was used solely on account of the difficulty or inconvenience of procuring one of the proper description, he may remit the further payment of duty prescribed in this rule.

18. *Evidence as to circumstances of claim to refund or renewal.*—The Collector may require any person claiming a refund or renewal under Chapter V of the Act, or his duly authorised agent, to make an oral deposition on oath or affirmation, or to file an affidavit, setting forth the circumstances under which the claim has arisen, and may also, if he thinks fit call for the evidence of witnesses in support of the statement set forth in any such deposition or affidavit.

19. *Payment of allowances in respect of spoiled or misused stamps or on the renewal of debentures.*—When an application is made for the payment, under Chapter V of the Act, of an allowance in respect of a spoiled or misused stamp, or on the renewal of a debenture, and an order is passed by the Collector sanctioning the allowance or calling for further evidence in support of the application, then, if the amount of the allowance or the stamp given in lieu thereof is not taken, or if the further evidence required is not furnished, as the case may be, by the applicant within one year of the date of such order, the application shall be struck off, and the spoiled or misused stamp (if any) sent to the Superintendent of Stamps or other officer appointed in this behalf by the Resident at Hyderabad for destruction.

20. *Mode of cancelling original debenture on refund under section 55.*—When the Collector makes a refund under section 55, he shall cancel the original debenture by writing on or across it the word 'Cancelled' and his usual signature with the date thereof.

21. *Rewards.*—On the conviction of any offender under the Act, the collector may grant to any person who appears to him to have contributed thereto a reward not exceeding such sum as the Resident at Hyderabad may fix in this behalf.

## APPENDIX I.

### *List of Instruments referred to in Rule 10 (i).*

	No. of Article in Schedule I.
1. Administration-bond . . . . .	2
2. Affidavits . . . . .	4
3. Appointments made in execution of a power . . . . .	7
4. Articles of Association of a Company . . . . .	10
5. Articles of clerkship . . . . .	11
6. Bills-of-lading . . . . .	14
7. Charter parties . . . . .	20
8. Declarations of trust . . . . .	64A
9. Instruments evidencing an agreement relating to (1) the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security) or (2) the pawn or pledge or hypothecation of moveable property . . . . .	6
10. Leases partly printed or lithographed in an Oriental language, when the written matter does not exceed one-fourth of the printed matter . . . . .	35
11. Memoranda of Association of Companies . . . . .	39
12. Mortgages of crops . . . . .	41
13. Notes of protest by Masters of Ships . . . . .	44
14. Revocations of trust . . . . .	64B

	No. of Article in Schedule I.
15 Share-warrants issued by a Company in accordance with section 43 of the Indian Companies Act, 1913 (VII of 1913)	59
16. Warrants for goods	65
17. Note or memorandum when the duty payable exceeds two annas	43B
1. Agreements or memoranda of agreements which in the opinion of the proper officer, cannot conveniently be written on sheets of paper on which the stamps are engraved or embossed	5
2. Instruments engrossed on parchment and written in the English style which, in the opinion of such officer, cannot conveniently be written on sheets of paper on which the stamps are engraved or embossed.	
3 Awards	12
4. Bills-of-exchange payable otherwise than on demand and drawn in the Administered Areas in the Hyderabad State	13 (b) & (c)
5. Bonds	15, 16, 26, 34, 56, & 57
6. Certificates of sale	18
7. Composition-deeds	22
8. Conveyances	23
9. Instruments imposing a further charge on mortgaged property	32
10. Instruments of apprenticeship	9
11. Instruments of co-partnership	46A
12. Instruments of dissolution of partnership	46B
13. Instruments of exchange	31
14. Instruments of gift	33
15. Instruments of partition	45
16. Leases	35
17. Letters of license	38
18. Mortgage-deeds	40
19. Powers-of-attorney	48
20 Reconveyances of mortgaged property	54
21. Releases	55
22. Settlements	58
23. Transfers of the description mentioned in Article 62, clauses (c), (d) and (e) of Schedule I	62 (c), (d) & (e)

[*Gazette of India*, 1925, Pt. I, p. 752.]

### INDIAN PETROLEUM ACT, 1899.

*Rules to regulate the possession and transport of petroleum.*

No. 38, dated the 29th June, 1909.—In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Hyderabad Residency Bazars, the Cantonments of Secunderabad and Aurangabad, and the Railway Lands in the territories of His Highness the Nizam of Hyderabad \* \* \*, and with the previous sanction of the Governor General in Council, the Resident at

Hyderabad is pleased to make \* \* the following rules to regulate the grant of licenses to possess or transport petroleum within the afore-said areas.

## PART I.

### PRELIMINARY.

#### I. *Definitions.*—In these rules,—

- (a) “ Part ” means a Part of these rules;
- (b) “ certificated petroleum ” means petroleum certified to be non-dangerous petroleum by a certificate of such description as the Resident may, from time to time, by written order, prescribe, granted at the port of shipment;
- (c) “ petroleum in bulk ” means petroleum in quantities exceeding five hundred gallons, contained in any one receptacle;
- (d) “ installation ” means a place specially prepared for the storage of petroleum in bulk, or for bulk combined with non-bulk storage, and may be either a major or a minor installation;
- (e) “ major installation ” means an installation—
  - (1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, exceeding fifty thousand gallons, or
  - (2) in which tin-making operations are carried on;
- (f) “ minor installation ” means an installation—
  - (1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, not exceeding fifty thousand gallons, and
  - (2) in which no tin-making operations are carried on;
- (g) “ storage shed ” means a building used for the storage of petroleum otherwise than in bulk, and may or may not form part of an installation;
- (h) “ protected work ” includes buildings in which persons dwell or assemble, timber yards, other petroleum stores, and any other place not forming part of an installation, which the Resident may by notification declare as such;
- (i) “ testing officer ” means the testing officer appointed by the Resident under section 10 of the Act for any port at which petroleum may be imported under these rules;

- (j) “motor-vehicle” means any vehicle or vessel propelled by a motor, in which petroleum is used as fuel; and
- (k) “owner,” as applied to a motor-vehicle, includes a person who hires or is otherwise entitled for the time being to use or work a motor-vehicle.
- <sup>1</sup>[(l) “District Magistrate” includes in cases where the Resident so directs the Additional District Magistrate in respect of such areas as the Resident may so order.]

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## PART II.

### POSSESSION AND TRANSPORT OF PETROLEUM.

#### CHAPTER I.—POSSESSION OF PETROLEUM.

1. *Smoking prohibited.*—No smoking shall be permitted inside any installation or storage shed.

2. *Supervision of operations within installation or storage shed.*—All operations within any installation or storage shed shall be conducted under the supervision of a responsible agent or supervisor.

3. *Cleanliness of installation.*—The ground in the interior of an installation shall be kept clean and free from goods of a combustible nature, vegetation and rubbish.

4. *Supply of sand or dry earth in installation.*—A supply of sand or dry earth shall always be kept in an installation for the purpose of extinguishing fire.

5. *Marking of capacity of tanks.*—The capacity in gallons of every tank in an installation shall be conspicuously marked on it, and shall be calculated at the rate of 6.25 gallons per cubic foot.

<sup>2</sup>[6. Every tank or other receptacle for the storage of petroleum in bulk, except a tank or receptacle which is not of sufficient capacity to contain ten thousand gallons of petroleum and is so situated as not to be liable to cause danger in the event of the petroleum being ignited, shall be electrically connected with the earth in an efficient manner by means of not less than two separate and distinct connections placed at opposite extremities of such tank or receptacle and the roof and all metal connections of such tank or receptacle shall be in efficient electrical contact with the body of such tank or receptacle.

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<sup>1</sup> Added by Notification No. 15-J., dated the 9th February, 1917. *Hyderabad Residency Orders*, 1917, Pt. I, p. 62.

<sup>2</sup> Substituted by Notification No. 27-J., dated the 8th March, 1926. *Hyderabad Residency Orders*, 1926, Pt. I, p. 36.

*Explanation.*—A tank or receptacle shall be deemed to be so situated as not to be liable to cause danger in the event of the petroleum being ignited, if it is not in close proximity to any other tank or receptacle, or to any building not forming part of the installation, and if it is surrounded by a wall or embankment or sunk in an excavation, the enclosure thus formed being sufficient to contain the whole contents of the tank or receptacle.

7. Not less than once in every year the connections and contacts referred to in rule 6 shall be inspected and tested by the licensee of the tank or receptacle in the manner prescribed by the Chief Inspector of Explosives in India and a record of such inspections and tests shall be maintained by such licensee and such record shall be produced on demand by the Chief Inspector or an Inspector of Explosives.]

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9. *Time for work in installations or storage sheds.*—No installation or storage shed shall be open, and no work in any installation or storage shed shall be permitted between sunset and sunrise: provided that in cases where electric lighting is exclusively used, night working may be permitted by the Resident on the recommendation of the Chief Inspector of Explosives.

10. *Closure of pipes and openings.*—Where there are any pipes or openings for draining out water in any enclosure wall, arrangements shall be made whereby they can be closed, and they shall only be kept open when actually necessary for drainage purposes. The nature of such arrangements shall be shown in the specifications which are required under rule 10 of Chapter IV of this Part, to be submitted with the application for a license.

11. *Material for storage sheds.*—All storage sheds in an installation shall be built of unflammable material.

12. *Posting up of rules and conditions.*—There shall be hung up in a conspicuous place in every installation and storage shed for which a license has been granted, copies of the rules contained in this Chapter, and of the conditions endorsed on the license.

## CHAPTER II.—TRANSPORT OF PETROLEUM.

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13. *Validity of license granted in another province.*—Petroleum may be transported into and within the areas under the Resident at Hyderabad under cover of a license granted by the prescribed authority in any other province of British India, or in any area outside British India,

<sup>1</sup> Cancelled by Notification No. 27-J., dated the 5th March, 1926. *Hyderabad Residency Orders, 1926, Pt. I, p. 36.*

to which the Indian Petroleum Act, 1899, may be applied, provided that the conditions of such license are observed, throughout the period, during which the petroleum is in transit.

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### CHAPTER III.—GENERAL PROVISIONS RELATING TO LICENSES.

1. *Applications for licenses.*—All applications for licenses for the possession or transport of petroleum shall be made to the District Magistrate.

2. *Licensing authority.*—Licenses—

- (a) for the possession of non-dangerous petroleum, not being petroleum in bulk,
- (b) for the possession of non-dangerous petroleum in a minor installation,
- (c) for the possession or transport of dangerous petroleum in quantities not exceeding forty gallons, and
- (d) for the transport of petroleum, not being dangerous petroleum, otherwise than by a pipe line,

may be granted by a District Magistrate, or by such other authority as the Resident may, from time to time, by order in writing, appoint in this behalf.

<sup>1</sup>[Licenses for the possession and transport of dangerous petroleum in quantities exceeding 40 gallons may be granted by the Resident or an officer appointed by the Resident in this behalf.]

In all other cases the licensing authority shall be the Resident:

Provided that in the case of renewals of existing licenses the Resident may delegate his powers under this rule to the District Magistrate or to such other authority as the Resident may, from time to time, by an order in writing, appoint in this behalf.

3. *Refusal of license.*—The licensing authority may, for reasons to be communicated to the applicant, refuse a license in any case:

Provided that the licensing authority shall not refuse a license for the possession of petroleum in a minor installation, unless such authority has first made a reference to the Chief Inspector of Explosives and obtained his concurrence.

4. *Forfeiture of license.*—Every license granted under these rules shall be liable to be forfeited for any contravention of the Act, or of any rule thereunder, or of any condition contained in such license, or

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<sup>1</sup> Inserted by Notification No. 45-J., dated the 3rd June, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 98.

for any other reason deemed by the licensing authority to be good and sufficient, and recorded by him in writing.

5. *Particulars of license.*—Every license and pass granted under these rules shall be held subject to the conditions endorsed on it, and shall contain all the particulars which are contained in the form prescribed for it by these rules:

Provided that in the case of installations and storage sheds in existence before these rules were made, the license may contain in lieu of the particulars contained in the form prescribed for it by these rules, either such particulars as may have been entered in the license granted for such installation or storage shed under the rules heretofore in force, or such particulars as may in each case be approved by the Chief Inspector of Explosives.

<sup>1</sup>[Provided also that in the case of installations or storage sheds intended for the storage of petroleum which has a flash point above 150° F. the license may contain, in lieu of the conditions endorsed on the form prescribed for it by these rules, such conditions as may in each case be approved by the licensing authority on the recommendation of the Chief Inspector of Explosives.]

<sup>2</sup>[5. (A) Notwithstanding anything contained in rule 5, the Resident may, on the recommendation of the Chief Inspector of Explosives, omit, alter or add to any of the conditions specified in the prescribed form of license.]

6. *Renewal of licenses.*—(1) Every application for the renewal of a license shall be made in the same manner as an application for an original license.

(2) Every such application shall be made at a date not less than thirty, days before the date on which the original license expires, and, if the application is so made, the premises shall be held to be duly licensed until such date as the licensing authority issues the renewed license, or until an intimation that the renewal of the license is refused has been communicated to the applicant.

(3) The same fee shall be charged for the renewal of license as for a new license.

7. *Supply of rules to licensee.*—When any license is granted for the possession or transport of petroleum a copy of the rules contained in Chapter I of this Part in the case of a license for possession, and of those contained in Chapter II of this Part in the case of a license for transport, shall be given, together with the license, to the licensee.

8. *Procedure on death or disability of licensee.*—Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise

<sup>1</sup> Inserted by Notification No. 71-J., dated the 18th July, 1910. *Hyderabad Residency Orders*, 1910, Pt. I, p. 117.

<sup>2</sup> Inserted by Notification No. 82-I., dated the 28th March, 1919. *Hyderabad Residency Orders*, 1919, Pt. I, p. 320.



disabled, the person carrying on the business of such license shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license.

9. *Loss of license.*—Where a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted.

#### CHAPTER IV.—LICENSES FOR THE POSSESSION OF PETROLEUM.

1. *Continuance of license.*—<sup>1</sup>[Save as provided in rule 9 (1) of this Chapter] every license for the possession of petroleum shall remain in force until the 31st of December, next following the date of issue of the license.

2. *Petroleum not in bulk, other than dangerous petroleum.*—Licenses for the possession of petroleum, not being dangerous petroleum, otherwise than in bulk, may be granted in Form A.

3. *Dangerous petroleum not in bulk.*—Licenses for the possession of dangerous petroleum, not in bulk, in quantity exceeding forty gallons may be granted in Form B.

4. *Dangerous petroleum not exceeding forty gallons.*—Licenses for the possession of dangerous petroleum in quantity not exceeding forty gallons may be granted in Form C.

5. *Transfer of certain licenses.*—(1) The holder of a license in Forms A, B or C, may, at any time before the expiry of the license, apply for permission to transfer his license to another person.

(2) Such application shall be made to the District Magistrate, who shall, if he approves of the transfer, enter upon the license, under his signature, an endorsement to the effect that the license has been transferred to the person named.

(3) A fee of Re. 1 shall be charged on each such application.

(4) The person to whom the license is so transferred shall enjoy the same powers and be subject to the same obligations under the license as the original holder.

6. *Possession of dangerous petroleum in receptacles containing more than <sup>2</sup>[sixty-five] gallons each.*—Special licenses for the possession of dangerous petroleum in receptacles containing more than <sup>2</sup>[sixty-five] gallons <sup>3</sup>\* \* \* may be granted on such terms as the Resident

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<sup>1</sup> Added by Notification No. 80-J, dated the 14th September, 1918. *Hyderabad Residency Orders*, 1918, Pt. I, p. 311.

<sup>2</sup> Substituted by Notification No. 45-J., dated the 25th April, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 57.

<sup>3</sup> Omitted by Notification No. 62-J., dated the 19th June, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 57.

may prescribe on the recommendation of the Chief Inspector of Explosives.

7 *Storage in major installations.*—Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in major installations, in accordance with such specifications and plans as the Resident, on the recommendation of the Chief Inspector of Explosives, may, from time to time, by general or special order, approve, may be granted in Form D.

8. *Storage in minor installations.*—License for the possession of any stated quantity of petroleum, not being dangerous petroleum, in minor installations, in accordance with such specifications and plans as the Chief Inspector of Explosives may, from time to time, by general or special order, approve, may be granted in Form E.

9. *Dangerous petroleum for use on motor-vehicles.*—(1) Licenses in Form F may be granted free of charge for the possession of dangerous petroleum for use on motor-vehicles and for its transport thereon, for the purpose of use therein.

<sup>1</sup>[Permanent licenses in Form F may be granted free of charge for the possession of dangerous petroleum for use on motor-vehicles and for its transport thereon for the purpose of use therein. The licenses will be subject to the condition that the owners of the vehicles shall surrender the licenses to the licensing authority if they part with the vehicles on behalf of which they are granted.]

(2) The provisions of the ordinary rules relating to the possession of dangerous petroleum shall regulate the possession of dangerous petroleum for use on motor-vehicles, save in so far as these provisions are varied by the conditions of the license.

10. *Particulars to be given in applications for licenses, for the possession of petroleum other than licenses under rules 4 and 9.*—Every application for a license for the possession of petroleum, other than licenses under rules 4 and 9 of this Chapter, shall specify—

- (a) the description and quantity of petroleum which the applicant desires to keep,
- (b) the name and position of the premises intended to be used for the storage of such petroleum, and whether the said premises fulfil the conditions prescribed by Form A, Form B, Form D, or Form E, as the case may be,
- (c) the amount of petroleum, if any, already licensed to be kept on the same premises.

<sup>1</sup> Added by Notification No. 80-J., dated the 14th September, 1918. *Hyderabad Residency Orders*, 1918, Pt. I, p. 311.

If the application be made for the first time in respect of any major or minor installation or if the quantity of petroleum to be stored in such an installation is to be increased, the application shall be accompanied by specifications and plans drawn to scale.

11. *Certificate of safety to be furnished.*—Before petroleum is stored in any major or minor installation for which a license has been granted for the first time, a certificate shall be furnished to the licensing authority to the effect that all enclosure walls and embankments required to be constructed under the conditions of the license are sufficient to ensure safety. The certificate shall be signed by an Engineer accepted as qualified for the purpose by the licensing authority. When the license is not granted for the first time but is granted for an increased quantity of petroleum, a certificate shall similarly be furnished to the licensing authority before any quantity of petroleum exceeding the amount which was admissible under the former license is stored in the installation.

12. *Particulars to be given in applications for licenses under rules 4 and 9.*—Every application for a license under rules 4 and 9 of this Chapter shall specify—

- (a) whether the applicant is the owner of a motor-vehicle,
- (b) the amount of dangerous petroleum the applicant desires to store,
- (c) the exact position and nature of the premises intended to be used for the storage of such dangerous petroleum, and whether the said premises fulfil the conditions prescribed—by Form C or Form F, as the case may be.

#### CHAPTER V.—LICENSES FOR THE TRANSPORT OF PETROLEUM.

1. *General licenses for the transport of non-dangerous petroleum.*—General licenses for the transport of petroleum, other than dangerous petroleum, may be granted for a period of twelve months in Form G.

2. *General licenses for the transport of dangerous petroleum.*—General licenses for the transport of dangerous petroleum \* \* \* \*<sup>1</sup> may be granted for a period of twelve months in Form H.

3. *Effect of general license.*—Licenses granted under rules [1-A]<sup>2</sup>, 2 and 9 of this Chapter may authorise the holders to transport petroleum without restriction as to destination or total quantity.

4. *Pass for transport of petroleum.*—The holder of a general license granted under rules 1, 2 or 9 of this Chapter shall, with each consignment of petroleum conveyed under cover of his license, issue to the person

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<sup>1</sup> Omitted by Notification No. 17-J., dated the 19th February, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 115.

<sup>2</sup> Substituted by Notification No. 79-J., dated the 1st October 1925. *Hyderabad Residency Orders*, 1925, Pt. I, p. 122.

who takes charge of the petroleum for the purpose of transporting it, a numbered pass in Form I.

<sup>1</sup>[4-A. *Issue of pass for the transport of petroleum by an authorised agent.*—(1) The holder of a general license granted under rule 1 or 2 of this Chapter, may authorise his agent in writing by a general authority to issue passes in Form I for the transport of petroleum in respect solely of consignments or parts thereof, which have been conveyed under a pass issued under rule 4 of this Chapter. Such general authority shall be given in Form I-A., copies of which may be obtained by the licensee from the licensing authority.

(2) The holder of a general license shall, on granting such written authority to an agent, at the same time forward a duplicate copy of the authority to the District Magistrate for information, and shall also deliver up the original to the District Magistrate when the authority is cancelled.]

5. *Special licenses for the transport of petroleum other than dangerous petroleum.*—Special licenses may be granted for the transport of petroleum, other than dangerous petroleum, in quantities exceeding five hundred gallons, in Form J.

6. *Special licenses for the transport of dangerous petroleum.*—Special licenses may be granted for the transport of dangerous petroleum \* \* \* \*<sup>2</sup> in Form K.

7. *Effect of special license.*—A special license granted under rules 5 and 6 shall only cover the transport of the particular consignment entered in the license, and shall be valid for such period as may be entered in it.

8. *Particulars to be given in applications for special licenses.*—Applications for special licenses for the transport of petroleum by rail, by road, by steamer or by barge, or by two or more of these modes of conveyance, shall specify the description and quantity of petroleum to be transported, and the places from and to which, respectively, the petroleum is to be conveyed, and shall describe the receptacles in which it is to be contained, or, in the case of petroleum to be transported in bulk by water, shall state that the ship in which it is to be carried has been certified as required by rule 1, Chapter II of this Part.

9. *Transport of dangerous petroleum by motorists otherwise than on a motor-vehicle.*—General licenses in Form L to transport dangerous petroleum up to a maximum of sixty gallons at a time, otherwise than on a motor-vehicle, may be granted for a period of twelve months to

<sup>1</sup> Inserted by Notification No. 84-J, dated the 3rd November, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 197.

<sup>2</sup> Omitted by Notification No. 17-J., dated the 19th February, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 115.

owners of motor-vehicles holding licenses under rule 9, sub-rule (1) of Chapter IV of this Part, to possess petroleum and use or transport it on a motor-vehicle.

## CHAPTER VI.—FEES.

1. *Method of levying fees.*—(1) Where the proceeds of fees leviable for licenses under these rules have been assigned by the Resident to any local authority, the fees shall be levied in such manner as the local authority may from time to time direct.

(2) In all other cases the fees shall be paid in cash on receipt of a notice from the licensing authority that a license will be granted.

(3) The court-fee stamp of the value of eight annas representing the fee chargeable under schedule II, article 1 (b) of the Court Fees Act on an application for a license presented to a Magistrate should be attached to the application.

2. *Fees for licenses for possession of petroleum.*—The following fees shall be charged for licenses for the possession of petroleum, namely:—

### *Non-dangerous petroleum.*

	Rs.	
(a) When the quantity to be stored exceeds five hundred but does not exceed one thousand gallons.	12	
(b) When the quantity to be stored exceeds one thousand but does not exceed five thousand gallons.	12	for the first one thousand gallons plus Rs. 2 for every additional one thousand gallons or part thereof.
(c) When the quantity to be stored exceeds five thousand gallons, but does not exceed fifty thousand gallons.	20	for the first five thousand gallons plus Rs. 4 for every additional one thousand gallons or part thereof.
(d) When the quantity to be stored exceeds fifty thousand gallons.	250	

### *Dangerous petroleum.*

	Rs.	
(e) When the quantity to be stored does not exceed forty gallons.	3	
(f) When the quantity to be stored exceeds forty gallons, but does not exceed five hundred gallons.	8	
(g) When the quantity to be stored exceeds five hundred gallons.		the same fees as those laid down for non-dangerous petroleum.

3. *Fees for licenses for transport of petroleum.*—The following fees shall be charged for licenses for the transport of petroleum.

*Non-dangerous petroleum.*

	Rs.
<i>Special license—</i>	
(a) When the quantity to be transported exceeds five hundred but does not exceed five thousand gallons.	1
(b) For every additional five thousand gallons or part of five thousand gallons.	1
<i>General license for the transport of non-dangerous petroleum by rail, by road, or by water for twelve months.</i>	100

*Dangerous petroleum.*

	Rs.
<i>Special license—</i>	
(i) When the quantity to be transported does not exceed forty gallons.	2
(ii) When the quantity to be transported exceeds forty gallons but does not exceed four hundred and eighty gallons.	2 for the first forty gallons plus 8 annas for every additional forty gallons or part thereof.
(iii) When the quantity to be transported exceeds four hundred and eighty gallons.	8 for the first four hundred and eighty gallons plus Rs. 2 for every additional four hundred and eighty gallons or part thereof.
<i>General license for the transport of dangerous petroleum by the owner of a motor-vehicle by road, rail or water, up to a maximum of sixty gallons at a time.</i>	5
<i>General license for the transport of dangerous petroleum by dealers by rail, road or water.</i>	50

4. *Fee for license granted for unexpired portion of an original license.*—A fee of one rupee shall be charged for a new license for the unexpired portion of an original license granted to any person applying for the same in accordance with the provisions of rule 8 of Chapter III of this Part.

5. *Fee for duplicate licenses.*—A fee of eight annas shall be charged for a duplicate of a license granted in accordance with the provisions of rule 9 of Chapter III of this Part.

FORM A.

(Rule 2 of Chapter IV of Part II.)

License to possess petroleum (other than dangerous petroleum), otherwise  
than in bulk.

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_ for the storage,  
in the storage shed described below, of \_\_\_\_\_ gallons of petro-  
leum, subject to the rules for the storage of petroleum published in  
notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the  
further conditions on the back of this license.

*District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.*

The

19 .

[Description of the storage shed above referred to.]

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ENDORSEMENT ON FORM A.

CONDITIONS OF THE LICENSE.

If the licensing officer call on the holder of a license, by a notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The storage shed shall be constructed of masonry or other un inflammable material with terraced, tiled or iron roofs and with tiled or paved or earthen floors, but the beams, rafters, columns, windows and doors may be of wood.

3. Either the doorways and other openings of the storage shed shall be built up to a height of two feet above the level of the road or street, or the floor sunk to a depth of two feet below the level of the road or street, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained, or the building itself shall be surrounded with a masonry wall or embankment or both not less than two feet high. When the quantity of petroleum stored exceeds 16,000 gallons the height or depth shall be 3 feet.

A combination of these methods is permissible.

4. <sup>1</sup>[The following distances round the building shall be kept clear of protected works]:—

Distances to be kept clear round buildings or enclosure walls.	Number of gallons to be stored.
None . . . . .	5,000 and under
20 feet . . . . .	over 5,000 and up to 50,000
30 feet . . . . .	Unlimited.

5. No light, except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted within the storage shed.

## FORM B.

(Rule 3 of Chapter IV of Part II.)

License to possess dangerous petroleum, otherwise than in bulk, in quantity exceeding forty gallons.

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_ for the storage, in the storage shed described below, of \_\_\_\_\_ gallons of dangerous petroleum, subject to the rules for the storage of petroleum published in notification No. \_\_\_\_\_ dated \_\_\_\_\_, and to the further conditions on the back of this license.

*Resident at Hyderabad* <sup>2</sup>[or an Officer appointed by the Resident in this behalf.]

The

19 .

[Description of the storage shed above referred to.]

## ENDORSEMENT ON FORM B.

### CONDITIONS OF LICENSE.

1. If the licensing officer call upon the holder of a license; by notice in writing, to execute any repairs of the storage shed, which may, in the

<sup>1</sup> Substituted by Notification No. 71-J., dated the 6th August, 1912. *Hyderabad Residency Orders*, 1912, Pt. I, p. 110.

<sup>2</sup> Added by Notification No. 45-J., dated the 3rd June, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 98.



opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The license-holder is prohibited from delivering any quantity of dangerous petroleum exceeding three gallons to any one who has not a license under section 5 or section 6 of the Act, or any less quantity of such petroleum except in accordance with the conditions of the proviso to section 6 of the Act, as to the vessels in which the petroleum must be contained.

3. The petroleum shall be stored in gas-tight tinned or galvanised sheet iron, steel or lead plate receptacles containing each not more than [sixty-five]<sup>1</sup> gallons and fitted with well-made filling holes and well-fitting screw plugs, or fitted with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch; provided that wood cases shall not be necessary when the receptacles are made of tinned or galvanised sheet iron or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons .	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight gallons but does not exceed twenty gallons . . . . .	16 B. W. G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B. W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B. W. G.
<sup>2</sup> [(7) When the capacity exceeds forty but does not exceed sixty-five gallons . . . . .	10 B. W. G.]

4. An air-space of at least one-tenth of its capacity shall be left in each receptacle at the time of filling.

5. The receptacles shall be so substantially constructed and secured as not to be liable, except under circumstances of grave negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

6. The receptacles shall be labelled in accordance with the provisions of section 7 of the Act.

7. Any receptacle, before being repaired, shall be cleared of all dangerous petroleum and of all dangerous vapours arising from the same.

<sup>1</sup> Substituted by Notification No. 45-J., dated the 25th April, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 57.

<sup>2</sup> Added by ditto.

8. The storage shed shall be constructed of masonry or other un-inflammable material with terraced, tiled or iron roofs and with tiled or paved or earthen floors.

9. Either the doorways and other openings of the storage shed shall be built up to a height of two feet above the level of the road or street, or the floor sunk to a depth of two feet below the level of the road or street, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained, or the building itself shall be surrounded with a masonry wall or embankment or both not less than two feet high. When the quantity of petroleum stored exceeds 16,000 gallons the height or depth shall be three feet.

A combination of these methods is permissible.

10. All ventilating openings in storage shed shall be protected by strong wire gauze.

11. No light, except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted at any time within the storage shed.

12. All due precautions shall be taken for the prevention of unauthorised persons having access to any dangerous petroleum kept and to the vessels containing or having actually contained the same.

13. Every person managing or employed on or in connection with the storage shed shall abstain from any act whatever which tends to cause fire or explosion and which is not reasonably necessary, and shall prevent any other person from doing such act.

14. The drum or other receptacle containing dangerous petroleum shall only be opened on the licensed premises at or immediately adjoining the storage shed and for the time necessary for drawing off the petroleum, and during such drawing off every reasonable precaution shall be adopted for preventing the escape of dangerous petroleum or the vapour therefrom.

15. The following distances shall be kept clear from protected works round the storage shed:—

Quantity to be stored.	Distances to be kept clear.
	Feet.
Not exceeding 500 gallons . . . . .	20
From 500 to 1,000 gallons . . . . .	25
„ 1,000 to 5,000 „ . . . . .	30
„ 5,000 to 15,000 „ . . . . .	40
„ 15,000 to 25,000 „ . . . . .	40
„ 25,000 to 35,000 „ . . . . .	60
„ 35,000 to 50,000 „ . . . . .	70
„ 50,000 and over „ . . . . .	100

Provided that these distances may be reduced by the <sup>1</sup>[licensing authority] on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided, or other special precautions taken, or where there are special circumstances that in the opinion of the Chief Inspector of Explosives warrant the reduction.

16. Provided that when the quantity to be possessed does not exceed sixty gallons the provisions of conditions 8, 9 and 15 shall not apply, but the licensee shall observe the following conditions:—

(i) The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of unflammable material, provided, however, that the doors and windows may be of wood.

(ii) Where a storage shed forms part of or is attached to another building and when the intervening floor or partition is of an unsubstantial or inflammable character or has openings therein, the whole of such building shall be deemed to be the storage shed and no portion of such storage shed shall be used as a dwelling house or as a place where persons assemble. The storage shed shall have a separate entrance from the open air distinct from any building or dwelling in which persons assemble.

17. The storage shed shall be liable to inspection by an officer not being of lower rank than <sup>2</sup>[a Sub-Inspector of Police] authorised by the Resident in this behalf.

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### FORM C.

(Rule 4 of Chapter IV of Part II.)

License to possess dangerous petroleum in quantity not exceeding forty gallons.

No.

Fee, Rs. 3.

License is hereby granted to \_\_\_\_\_ for the storage, in the storage shed described below, of \_\_\_\_\_ gallons of dangerous petroleum, subject to the rules for the storage of petroleum published in notification

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<sup>1</sup> Substituted by Notification No. 56-J., dated the 4th August, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 126.

<sup>2</sup> Substituted by Notification No. 59-J., dated the 29th September, 1909. *Hyderabad Residency Orders*, 1909, Pt. I, p. 195.

No.                      dated    , and to the further conditions on the back of this license.

*District Magistrate or authority appointed under rule 2 of Chapter III of Part II.*

The    19                      .

[Description of the storage shed above referred to.]

## ENDORSEMENT ON FORM C.

### CONDITIONS OF LICENSE.

1. If the licensing officer call upon the holder of a license by notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The license-holder is prohibited from delivering any quantity of dangerous petroleum exceeding three gallons to any one who has not a license under section 5 or section 6 of the Act, or any less quantity of such petroleum except in accordance with the conditions of the proviso to section 6 of the Act, as to the vessels in which the petroleum must be contained.

3. The petroleum shall be stored in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than ten gallons and fitted with well-made filling holes and well-fitting screw plugs or fitted with screw cap or other cap with metal air-tight under-cap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch, provided that wood cases shall not be necessary when the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons .	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight gallons . . . . .	16 B. W. G.

4. An air-space of at least one-tenth of its capacity shall be left in each receptacle at the time of filling.

5. Receptacles shall be so substantially constructed and secured as not to be liable, except under circumstances of grave negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

6. The receptacles shall be labelled in accordance with the provisions of section 7 of the Act.

7. Any receptacle, before being repaired, shall be cleared of all dangerous petroleum and of all dangerous vapours arising from the same.

8. The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of unflammable material; provided, however, that the doors and windows may be of wood.

9. All ventilating openings in the storage shed shall be protected by strong wire gauze.

10. No light, except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted at any time within the storage shed.

11. All due precautions shall be taken for the prevention of unauthorised persons having access to any dangerous petroleum kept and to the vessels containing or having actually contained the same.

12. Every person managing or employed on or in connection with the storage shed shall abstain from any act whatever which tends to cause fire or explosion and which is not reasonably necessary and shall prevent any other person from doing such act.

13. The drum or other receptacle containing dangerous petroleum shall only be opened on the licensed premises at or immediately adjoining the storage shed and for the time necessary for drawing off the petroleum, and during such drawing off every reasonable precaution shall be adopted for preventing the escape of dangerous petroleum or the vapour therefrom.

14. Where a storage shed forms a part of, or is attached to, another building, and where the intervening floor or partition is of an unsubstantial or inflammable character or has openings therein the whole of such building shall be deemed to be the storage shed and no portion of such storage shed shall be used as a dwelling or as a place where persons assemble. The storage shed shall have a separate entrance from the open air distinct from any building or dwelling in which persons assemble.

15. The storage shed shall be liable to inspection by an officer not being of lower rank than <sup>1</sup>[a Sub-Inspector of Police] authorised by the Resident in this behalf.

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<sup>1</sup> Substituted by Notification No. 59-J., dated the 29th September, 1909. *Hyderabad Residency Orders*, 1909, Pt. I, p. 195.

FORM D.

(Rule 7 of Chapter IV of Part II.)

License to possess petroleum, not being dangerous petroleum, in a major installation.

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_ for the storage  
in the place described below, of \_\_\_\_\_ gallons of petroleum  
not being dangerous petroleum, subject to the rules for the storage of  
petroleum published in notification No. \_\_\_\_\_ dated \_\_\_\_\_  
and to the further conditions on the back of this license.

*Resident at Hyderabad.*

*The*

*19* .

[Description of the place above referred to.]

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ENDORSEMENT ON FORM D.

CONDITIONS OF LICENSE.

1. Each tank shall either be separately surrounded by a wall or embankment of substantial construction, or shall be partially sunk in an excavation. The enclosure thus formed shall be of dimensions sufficient to contain 10 per cent. more oil than the tank is capable of containing, and shall be so constructed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. Settling or measuring tanks\* may be situated within the wall or excavation but otherwise the space enclosed by such wall or excavation, and not occupied by the tank, shall be kept entirely clear and unoccupied.

2 In the case of all storage sheds within the installation, either the doorways and other openings of the building shall be built up to a height of three feet above the level of the ground outside it, or the floor shall be sunk to a depth of three feet below the level of the ground, or the building itself shall be surrounded with a masonry wall or embankment or both not less than three feet high.

3. The height of any storage tank shall not be more than three-fifths of its diameter.

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\* These tanks shall not have a greater capacity than 30,000 gallons.

4. A distance of not less than one hundred feet shall be kept clear between one storage tank and another, or between a storage tank and a storage shed, the distance being measured between the nearest points of the perimeters of the storage tanks or storage sheds, as the case may be.

5. A distance of not less than one hundred and fifty feet shall be kept clear between any storage tank or shed and any protected work.

6. The distances specified in conditions 4 and 5 may be reduced by the Resident on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided or other special precautions taken or where there are special circumstances that, in the opinion of the Chief Inspector of Explosives, warrant the reduction.

7. No fire or lights other than those necessary for soldering purposes shall be permitted within the installation except in the office, living quarters, engine room, boiler house and smithy.

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FORM E.

*(Rule 8 of Chapter IV of Part II.)*

License to possess petroleum, not being dangerous petroleum, in a minor installation.

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_ for the storage,  
in the place described below, of \_\_\_\_\_ gallons of petroleum, not  
being dangerous petroleum, subject to the rules for the storage of petro-  
leum published in notification No. \_\_\_\_\_, dated \_\_\_\_\_  
and to the further conditions on the back of this license.

*District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II*

The

19 \_\_\_\_\_

[Description of the place referred to.]

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ENDORSEMENT ON FORM E.

CONDITIONS OF LICENSE.

1. Every tank of which the capacity exceeds fifteen thousand gallons shall either be separately surrounded by a wall or embankment of substantial construction, or shall be sunk in an excavation. The enclosure

thus formed shall be of dimensions sufficient to contain the total quantity of oil capable of being contained in the tank and shall be so constructed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. The space enclosed by such wall or excavation and not occupied by the tanks, shall be kept entirely clear and unoccupied.

2. The distance to be kept clear between a tank and the walls or embankments which surround it shall be, measuring from the ground level—

(a) for horizontal tanks, not less than one-third the height of the tank;

(b) for perpendicular tanks, not less than one-half the height of the tank.

3. The height of walls or embankments surrounding the installation shall be not less than two feet six inches from the ground level.

4. The following distances shall be kept clear between protected works not forming part of the installation and the enclosure walls or embankments:—

Where the number of gallons stored is—	Distance to be kept clear.
5,000 and under . . . . .	Not less than 15 feet.
Over 5,000 and up to 20,000 . . . . .	Not less than 20 feet.
Over 20,000 and up to 50,000 . . . . .	Not less than 30 feet.

Provided that these distances may be reduced by the Resident on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided or other special precautions taken, or where there are special circumstances which in the opinion of the Chief Inspector of Explosives warrant the reduction.

5. Soldering shall only be permitted in a separate room or building placed as far from the tanks as can be conveniently arranged, in which no storage or filling shall be permitted. No more tins shall be allowed in the soldering room at any one time than are necessary for expeditious working.

6. No fire or lights, except those necessary in the soldering room and watchman's house, shall be permitted.

7. If the installation contains tanks of which the capacity does not exceed fifteen thousand gallons, either—

(a) each tank shall be separately enclosed in the manner prescribed in condition 1, or

(b) the entire installation shall be surrounded by a masonry wall or embankment or a combination of these forming an enclosure of dimensions sufficient to contain, and prevent the



overflow of, all the oil that may be stored at any one time within such walls or embankments.

8. In the case of all storage sheds within an installation which is not surrounded by a masonry wall or embankment as provided in clause (b) of condition 7, either the doorways and other openings of the building shall be built up to a height of two feet above the level of the ground outside it, or the floor sunk to a depth of two feet below the level of the ground, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained; or the building itself shall be surrounded with a masonry wall or embankment or both not less than two feet high. When the quantity of petroleum stored exceeds 16,000 gallons the height or depth shall be three feet high.

A combination of these methods is permissible.

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FORM F.

(Rule 9 of Chapter IV of Part II.)

Special license to possess and transport dangerous petroleum for owners of motor-vehicles.

No.

Free of charge.

License is hereby granted to \_\_\_\_\_ owner (or hirer) of a motor-vehicle (or vehicles) for the possession of \_\_\_\_\_ gallons of dangerous petroleum for use therein at\* \_\_\_\_\_ and for its transport on the said motor-vehicle (or vehicles) for the purpose of use therein, subject to the rules for the possession and transport of dangerous petroleum published in notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the conditions at the back of this license.

When the quantity exceeds forty gallons.

*Resident at Hyderabad, <sup>1</sup>[or an Officer appointed by the Resident in this behalf.]*

When the quantity does not exceed forty gallons.

*District Magistrate or authority appointed under rule 2 of Chapter III of Part II.*

The

19 ..

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\* Situation and description of storage shed above referred to.

<sup>1</sup> Added by Notification No. 45-J., dated the 3rd June, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 98.

## ENDORSEMENT ON FORM F.

### CONDITIONS OF THE LICENSE.

1. <sup>1</sup>[When not carried in a receptacle forming part of a motor-vehicle] the dangerous petroleum shall not be kept, used or transported except in gas-tight tinned or galvanized sheet iron, steel or lead plate drums or receptacles containing each not more than four gallons and fitted with well-made filling holes and well-fitting screw plugs or fitted with screw cap or other cap with metal air-tight undercap. Such drums or receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch. Provided that wood cases shall not be necessary when the drums or receptacles are made of tinned or galvanized sheet iron, or steel, and have the following thickness of metal:—

- |   |               |
|---|---------------|
|   | Not less than |
| (1) When the capacity does not exceed two gallons . | 27 B. W. G.   |
| (2) When the capacity exceeds two gallons . . .     | 22 B. W. G.   |

2. The drums or receptacles shall be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

3. Every such vessel, <sup>2\*</sup> \* \* \* \* when used for transporting or keeping dangerous petroleum, shall bear the words "Dangerous Petroleum—Highly Inflammable" legibly and indelibly stamped or marked thereon, or on a metallic or enamelled label attached thereto.

4. An air-space of at least one-tenth of its capacity shall be left in each drum or receptacle at the time of filling to allow for expansion of the dangerous petroleum.

5. Before repairs are done to any such vessel, that vessel shall, as far as practicable, be cleaned by the removal of all dangerous petroleum and of all dangerous vapours derived from the same.

6. The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of unflammable material, provided, however, that the doors and windows may be of wood.

<sup>3</sup>[When however the quantity of dangerous petroleum does not exceed 20 gallons, it may be kept in a garage, stable or separate store room not

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<sup>1</sup> Inserted by Notification No. 76-J., dated the 10th December, 1913. *Hyderabad Residency Orders*, 1913, Pt. I, p. 113.

<sup>2</sup> Deleted by ditto.

<sup>3</sup> Added by Notification No. 85-J., dated the 8th August, 1917. *Hyderabad Residency Orders*, 1917, Pt. I, p. 407.

directly communicating with any dwelling room or room where persons assemble.]

7. Where a storage shed forms part of, or is attached to, another building, and when the intervening floor or partition is of an unsubstantial or inflammable character, or has an opening therein, the whole of such building shall be deemed to be the storage shed, and no portion of such storage shed shall be used as a dwelling, or as a place where persons assemble. A storage shed shall have a separate entrance from the open air distinct from that of any dwelling or building in which persons assemble.

8. The amount of dangerous petroleum to be kept in any one storage shed whether or not upon motor-vehicles, shall not exceed sixty gallons at any one time.

9. The filling or replenishing of any vessels with dangerous petroleum shall not be carried on, nor shall the contents of any such vessel be exposed, in the presence of fire or artificial light except a light of such construction, position and character as not to be liable to ignite any inflammable vapour, and no artificial light shall be brought within dangerous proximity of the place where any vessel containing dangerous petroleum is being kept.

10. In the case of all dangerous petroleum kept or transported for the purpose of, or in connection with any motor-vehicle, (a) all due precautions shall be taken for the prevention of accidents by fire or explosion and for the prevention of unauthorised persons having access to any dangerous petroleum kept or transported and to the vessels containing, or having actually contained, the same, and (b) every person managing or employed on or in connection with any motor-vehicles shall abstain from every act, whatever, which tends to cause fire or explosion, and which is not reasonably necessary, and shall prevent any other person from committing such act.

11. The storage shed [or other place of storage referred to in condition 6]<sup>1</sup> shall be liable to inspection by an officer not being of lower rank than an Inspector of Police, authorised by the Resident in this behalf.

<sup>2</sup>[12. This license need not be renewed annually but the owner shall surrender the license if he parts with the motor-vehicle on behalf of which the license is granted.]

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<sup>1</sup> Inserted by Notification No. 85-J., dated the 8th August, 1917. *Hyderabad Residency Orders*, 1917, Pt. I, p. 407.

<sup>2</sup> Added by Notification No. 80-J., dated the 14th September, 1918. *Hyderabad Residency Orders*, 1918, Pt. I, p. 311.

## FORM G.

(Rule 1 of Chapter V of Part II.)

General license to transport petroleum other than dangerous petroleum.

No.

Fee, Rs. 100.

A general license is hereby granted to \_\_\_\_\_ to transport petroleum, other than dangerous petroleum, subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Government notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the condition at the back of this license.

This license shall continue in force till the

*District Magistrate or authority appointed  
under Rule 2 of Chapter III of Part II.*

The

19 .

## ENDORSEMENT ON FORM G.

### CONDITIONS OF THE LICENSE.

The petroleum, if not in bulk, shall be packed in air tight tins or drums of steel or iron, or other receptacles not easily broken or in tank-carts of a pattern approved by the Resident in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

## FORM H.

(Rule 2 of Chapter V of Part II.)

General license to transport dangerous petroleum \* \* \*<sup>1</sup>

No.

Fee, Rs. 50.

A general license is hereby granted to \_\_\_\_\_ to transport dangerous petroleum <sup>1</sup> \* \* \* subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Government notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back of this license.

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<sup>1</sup> Omitted by Notification No. 17-J., dated the 19th February, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 115.

This license shall continue in force till the

When the quantity to be transported  
 at a time does not exceed forty

*Resident at Hyderabad*  
<sup>1</sup>[*or an officer appointed by*  
*the Resident in this behalf*]

When the quantity to be transported  
 at a time does not exceed forty  
 gallons.

*District Magistrate or authority*  
*appointed under rule 2 of*  
*Chapter III of Part II.*

*The*

19 .

## ENDORSEMENT ON FORM H.

### CONDITIONS OF THE LICENSE.

1. The petroleum <sup>2</sup>[if not in bulk] must be contained in gas-tight tinned on galvanized sheet iron, steel or lead plate receptacles containing each not more than [sixty-five]<sup>3</sup> gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal airtight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch.

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:

	Not less than.
(1) When the capacity does not exceed two gallons .	27 B. W. G.
(2) When the capacity exceeds two but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight but does not exceed twenty gallons . . . . .	16 B. W. G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B. W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B. W. G.
<sup>4</sup> [(7) When the capacity exceeds forty but does not exceed sixty-five gallons . . . . .	10 B. W. G.]

<sup>1</sup> Inserted by Notification No. 45-J., dated the 3rd June, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 98.

<sup>2</sup> Inserted by Notification No. 17-J., dated the 19th February, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 115.

<sup>3</sup> Substituted by Notification No. 45-J., dated the 25th April, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 57.

<sup>4</sup> Added by ditto.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words “ Highly Inflamable ” must be distinctly marked on the receptacles.

### FORM I.

(*Rule 4* <sup>1</sup>[*and Rule 4-A*] of Chapter V, Part II.)

Pass to be granted by the holder of General License No. <sup>1</sup>[or his agent duly authorised in writing] for the transport of dangerous  
~~non-dangerous~~ petroleum <sup>2</sup>[in bulk or otherwise than in bulk] subject to the rules contained in Chapter V of Part II of Government Notification No. , dated , and to the further conditions on the back of this pass.

This pass covers ( drums  
tins  
cases  
packages containing)<sup>3</sup>  
gallons of dangerous  
~~non-dangerous~~ petroleum being the property of while  
in transport from to

The 19 . Holder of General License No.  
<sup>1</sup>[or his Agent duly authorised in writing.]

### ENDORSEMENT ON FORM I.

#### CONDITIONS OF PASS.

I.—For dangerous petroleum in the case of the holder of a license in Form H.

1. The petroleum <sup>2</sup>[if not in bulk] must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles contain-

<sup>1</sup> Inserted by Notification No. 84-J., dated the 3rd November, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 197.

<sup>2</sup> Substituted by Notification No. 17-J., dated the 19th February, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 115.

<sup>3</sup> To be omitted when the petroleum is transported in bulk.

ing each not more than <sup>1</sup>[sixty-five] gallons and fitted with well made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel and have the following thickness of metal:

	Not less than.
(1) When the capacity does not exceed two gallons .	27 B. W. G.
(2) When the capacity exceeds two but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight but does not exceed twenty gallons . . . . .	16 B. W. G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B. W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B. W. G.
<sup>2</sup> [(7) When the capacity exceeds forty but does not exceed sixty-five gallons . . . . .	10 B. W. G.]

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly Inflammable" must be distinctly marked on the receptacles.

## II.—For dangerous petroleum in the case of the holder of a license in Form L.

1. The quantity of dangerous petroleum to be transported under this pass shall not exceed sixty gallons.

2. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than four gallons and fitted with well-made filling holes and well fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

<sup>1</sup> Substituted by Notification No. 45-J., dated the 25th April, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 57.

<sup>2</sup> Added by ditto.

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel and have the following thickness of metal.

Not less than

- (1) When the capacity does not exceed two gallons . . . 27 B. W. G.  
(2) When the capacity exceeds two gallons . . . 22 B. W. G.

3. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

4. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

5. The nature of the contents and the words "Highly Inflammable" must be distinctly marked on the receptacles.

### III.—For petroleum other than dangerous petroleum.

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron or other receptacles not easily broken, or in tank-carts of a pattern approved by the Resident in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

#### <sup>1</sup>FORM I-A.

#### (Rule 4-A of Chapter V, Part II.)

General authority to be given by the holder of a General License to his agent for the transport of petroleum.

(Duplicate.)		
I We	I We	I We
the holder(s) of General License No. _____ for the transport of non-dangerous petroleum dangerous in bulk or otherwise than in bulk hereby authorise _____ (name and residence of agent) to issue passes in Form I appended to the rules for	the holder(s) of General License No. _____ for the transport of non-dangerous petroleum dangerous in bulk or otherwise than in bulk hereby authorise _____ (name and residence of agent) to issue passes in Form I appended to the rules for	the holder(s) of General License No. _____ for the transport of non-dangerous petroleum dangerous in bulk or otherwise than in bulk hereby authorise _____ (name and residence of agent) to issue passes in Form I appended to the rules for

<sup>1</sup> Inserted by Notification No. 84-J., dated the 3rd November, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 197. Printed as amended by Notification No. 17-J., dated the 19th February, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 115.



<p>the possession and transport of petroleum, published in <i>Residency Orders</i> Notification No. 38, dated the 29th June, 1909 (as subsequently amended), for the transport of petroleum in respect solely of consignments, or part thereof, which may be conveyed to <u>him</u> under <u>them</u></p> <p>a pass issued by <u>me</u> <u>us</u> under rule 4, Chapter V, Part II, of the said rules.</p> <p>Station _____ } Holder of General License No. _____</p> <p>Date _____ }</p> <p>NOTE.—This part to be retained by the licensee until this authority is cancelled, and then to be delivered up to the Magistrate of the District in which the agent resides with an indication that the authority has been cancelled.</p>	<p>the possession and transport of petroleum, published in <i>Residency Orders</i> Notification No. 38 dated the 29th June, 1909 (as subsequently amended), for the transport of petroleum in respect solely of consignments, or part thereof, which may be conveyed to <u>him</u> under <u>them</u></p> <p>a pass issued by <u>me</u> <u>us</u> under rule 4, Chapter V, Part II, of the said rules.</p> <p>Station _____ } Holder of General License No. _____</p> <p>Date _____ }</p> <p>NOTE.—This part to be forwarded for information to the Magistrate of the District in which the agent resides.</p>	<p>the possession and transport of petroleum, published in <i>Residency Orders</i> Notification No. 38, dated the 29th June, 1909 (as subsequently amended), for the transport of petroleum in respect solely of consignments, or part thereof, which may be conveyed to <u>him</u> under <u>them</u></p> <p>a pass issued by <u>me</u> <u>us</u> under rule 4, Chapter V, Part II, of the said rules.</p> <p>Station _____ } Holder of General License No. _____</p> <p>Date _____ }</p> <p>NOTE.—This part to be forwarded to the agent.</p>
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### FORM J.

(Rule 5 of Chapter V of Part II.)

Special license to transport petroleum other than dangerous petroleum.

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_ to transport from \_\_\_\_\_ to \_\_\_\_\_ \*( \_\_\_\_\_ cases or packages containing)\*  
gallons of petroleum subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Government Notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further condition on the back of this license.

The license shall continue in force till the \_\_\_\_\_ day of \_\_\_\_\_

*District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.*

The

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\* To be omitted when the petroleum is transported in bulk.

## ENDORSEMENT ON FORM J.

### CONDITIONS OF THE LICENSE.

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron or other receptacles not easily broken, or in tank-carts of a pattern approved by the Resident in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

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### FORM K.

(Rule 6 of Chapter V of Part II.)

Special license to transport dangerous petroleum.

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_ of \_\_\_\_\_ to transport  
<sup>1</sup>(cases or packages containing in all) \_\_\_\_\_ gallons of dangerous  
 petroleum from \_\_\_\_\_ to \_\_\_\_\_ subject to the  
 rules contained in Chapter V of Part II of \_\_\_\_\_ Government Noti-  
 fication No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further con-  
 ditions on the back of this license.

The amount of petroleum in each case or package is stated below.

This license shall continue in force till the \_\_\_\_\_ day of \_\_\_\_\_

When the quantity exceeds forty  
 gallons.

*Resident at Hyderabad.*  
<sup>2</sup>[or an officer appointed by the  
*Resident in this behalf.*]

When the quantity does not exceed  
 forty gallons.

*District Magistrate or authority  
 appointed under rule 2 of  
 Chapter III of Part II.*

The

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<sup>1</sup>To be omitted when petroleum is transported in bulk.

<sup>2</sup>Inserted by Notification No. 45-J., dated the 3rd June, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 98.

## ENDORSEMENT ON FORM K.

### CONDITIONS OF LICENSE.

1. The petroleum <sup>1</sup>[if not in bulk] must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than <sup>2</sup>[sixty-five] gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel and have the following thickness of metal:

	Not less than
(1) When the capacity does not exceed two gallons .	27 B. W. G.
(2) When the capacity exceeds two but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight but does not exceed twenty gallons . . . . .	16 B. W. G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B. W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B. W. G.
<sup>3</sup> [(7) When the capacity exceeds forty but does not exceed sixty-five gallons . . . . .	10 B. W. G.]

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly Inflammable" must be distinctly marked on the receptacles.

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<sup>1</sup> Inserted by Notification No. 17-J., dated the 19th February, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 115.

<sup>2</sup> Substituted by Notification No. 45-J., dated the 25th April 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 57.

<sup>3</sup> Added by ditto.

FORM L.

(Rule 9 of Chapter V of Part II.)

General license to the owner of a motor-vehicle to transport dangerous petroleum otherwise than on a motor vehicle.

No.

Fee, Rs. 5.

A general license is hereby granted to \_\_\_\_\_ to transport dangerous petroleum, otherwise than in bulk, up to  $\frac{40}{80}$  gallons at a time subject to the rules contained in Chapter V of Part II of Government notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back of this license.

This license shall continue in force till the  
When the quantity exceeds forty \_\_\_\_\_ *Resident at Hyderabad.*  
gallons. <sup>1</sup>[or an officer appointed by the  
*Resident in this behalf*].

When the quantity does not exceed \_\_\_\_\_ *District Magistrate or authority*  
forty gallons. *appointed under rule 2 of*  
*Chapter III of Part II.*

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ENDORSEMENT ON FORM L.

CONDITIONS OF LICENSE.

1. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than four gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch.

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:

	Not less than
(1) When the capacity does not exceed two gallons .	27 B. W. G.
(2) When the capacity exceeds two gallons . . .	22 B. W. G.

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<sup>1</sup> Added by Notification No. 45-J., dated the 3rd June 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 98.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly Inflammable" must be distinctly marked on receptacles.

[*Hyderabad Residency Orders*, 1909, Pt. I, p. 123.]

*Petroleum Rules to apply to Acetone, Wood Naptha and Methyl Alcohol.*

*No. 113-J., dated the 19th December, 1927.*—In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Administered Areas in the Hyderabad State (as applied to Acetone, Wood Naptha and Methyl Alcohol by the Notification of the Government of India in the Foreign and Political Department No. 391-I.,<sup>1</sup> dated the 22nd June, 1927), the Resident with the previous sanction of the Governor General in Council, is pleased to direct that the rules regulating the possession and transport of petroleum published in Residency Orders Notification No. 38,<sup>2</sup> dated the 29th June, 1909, shall apply *mutatis mutandis* to the possession and transport of Acetone, Wood Naptha and Methyl Alcohol in the said areas.

[*Hyderabad Residency Orders*, 1928, Pt. I, p. 1.]

*Rules to regulate the possession and transport of carbide of calcium.*

*No. 65, dated the 22nd July, 1907.*—In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Hyderabad Residency Bazars, the Cantonments of Secunderabad and Aurangabad, and the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* and with the previous sanction of the Governor General in Council, the Resident at Hyderabad is pleased to make the following rules to regulate the importation, possession, and transport of carbide of calcium<sup>3</sup> within the aforesaid areas:—

#### PART I.—OF IMPORTATION OF CARBIDE OF CALCIUM.

(*Applicable to Maritime Provinces.*)

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<sup>1</sup> Printed *infra*, p. 401.

<sup>2</sup> Printed *supra*, p. 353.

<sup>3</sup> See Notification No. 428-I. B., dated the 1st February, 1907, *infra*, p. 400.

PART II.—OF POSSESSION OF CARBIDE OF CALCIUM.

1. *Carbide of calcium to be “commercially pure”*.—No carbide of calcium shall be kept at any place, with or without a license unless it is “commercially pure”, i.e., unless it contains no impurities liable to generate phosphoretted or siliciuretted hydrogen so as to render the gas evolved liable to ignite spontaneously.

2. *Conditions of possession without license*.—No license shall be required for the possession of carbide of calcium (i) in any quantity not exceeding five pounds if it is kept in separate vessels, each containing not more than one pound, of the nature described in, and labelled as required by rule 1 of Part V; (ii) in any quantity exceeding five and not exceeding twenty-eight pounds where the following conditions are observed and the vessels containing it are labelled as required by rule 1 of Part V:—

- (a) the carbide shall be kept only in metal vessels hermetically closed at all times when the carbide is not actually being placed in or withdrawn from such vessels;
- (b) the vessels containing carbide shall be kept in a dry and well ventilated place;
- (c) due precautions shall be taken to prevent unauthorised persons from having access to the carbide;
- (d) notice shall be given of such keeping to the licensing authority referred to in rule 8 of this Part, and free access shall be afforded to any duly authorised inspector to inspect the portion of the premises where the carbide is kept and the generator, if any, is situated.

Where a fixed generator is used on the premises—

- (e) full and detailed instructions as to the care and use of the generator shall be kept constantly posted up in such place as to be conveniently referred to by the generator attendant.

Where it is desired to keep a greater quantity or where the above conditions cannot be complied with, application must be made to the licensing authority for a license.

3. *Licenses for possession*.—Carbide of calcium in any quantity exceeding twenty-eight pounds may be kept only under a license to possess carbide of calcium granted under these rules.

<sup>1</sup>[Every application for such a license shall be in form A in the Schedule, and where the applicant proposes to engage in the manufac-

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<sup>1</sup> Substituted by Notification No. 104-J., dated the 17th October, 1928. *Hyderabad Residency Orders*, 1928, Pt. I, p. 159.

ture of acetylene gas, the generating apparatus to be used by the licensee whether manufactured in British India or imported must have been examined and certified to be suitable by such competent authority as the Resident may from time to time specially authorise in this behalf.]

4. *Storage of carbide of calcium.*—Notwithstanding anything contained in rule 3 of this Part, carbide of calcium may, with the special permission of the Resident, and on such conditions as may be fixed by it, be stored without a license in premises provided for the purpose.

NOTE.—*This rule is intended to be applied only in the case of Port Trust and similar premises.*

5. *Situation of storage buildings.*—Carbide of calcium shall be stored,—

- (1) if in quantities aggregating not more than four hundred and fifty pounds—in a suitable uninhabited building at least twenty feet away from any other premises: provided that quantities not exceeding two hundred and twenty-five pounds may be stored in a place connected with a shop at a distance of at least ten feet from other premises;
- (2) if in quantities aggregating more than four hundred and fifty pounds and not more than three thousand pounds—in a suitable uninhabited building at least forty feet away from any other premises;
- (3) if in quantities aggregating more than three thousand pounds and not more than fifty tons—in an uninhabited building at least one hundred feet away from any other premises. Not more than fifty tons of carbide of calcium shall be stored in any one building.

6. *Construction of storage building.*—Every building for the storage of carbide of calcium shall be—

- (a) constructed with stone, brick or iron walls, with terraced, tiled or iron roofs, and with tiled, paved or cemented, or iron (or steel) floors raised at least a foot above the ground level; and
- (b) well ventilated and water-tight to the satisfaction of the licensing officer.

7. *Arrangement in storage building.*—Carbide of calcium shall be stored only on racks or trestles standing at least one foot above the level of the ground, and no articles of an inflammable or combustible nature shall be kept in the same building.

<sup>1</sup>[7-A. If any carbide of calcium becomes wetted while being stored, it shall be destroyed by immersion in deep water under instructions

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<sup>1</sup>Inserted by Notification No. 69-J., dated the 5th August, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 202.

from the licensing authority. If, however, deep water is not available the wet carbide of calcium shall be spread out in the open in an isolated position, all precautions being taken to prevent lights being brought near until the material has given off all its gas.

NOTE.—The fact of carbide of calcium having become wet will be indicated by the outward appearance of the drum, and probably by a disagreeable odour, showing a leakage of gas.]

8. *Licenses for possession.*—Licenses to possess carbide of calcium shall be in Form B in the schedule, and may be granted by the First Assistant<sup>1</sup> to the Resident at Hyderabad or by such other officer as the Resident may, from time to time, by an order in writing, appoint in this behalf.

9. *Continuance of license.*—<sup>2</sup>[Every license for the possession of carbide of calcium shall remain in force until the 31st December next following the date of issue of the license. Provided that the licensing Officer may, at any time, for good and sufficient reasons cancel any such license.]

10. *Fee for license.*—The fee for a license to possess carbide of calcium shall be five rupees.

11. *Renewal of license.*—Every application for the renewal of a license to possess carbide of calcium shall be made in the same manner as an application for an original license.

12. *Date of, and fee for, application for renewal.*—Every such application shall be made at a date not less than fifteen days prior to the date on which the original license expires. The fee charged for the renewal of a license shall be three rupees.

13. *Packing and marking on sale by retail vendor.*—Every retail vendor of carbide of calcium, selling any quantity exceeding half a pound to a purchaser, shall deliver it to him in an air-tight tin or drum packed and marked in accordance with these rules, and bearing the name of the vendor plainly printed on the package.

14. *Packing and opening by retail vendor.*—Every retail vendor shall keep his carbide of calcium in a receptacle which can be easily opened and closed again so as to be air-tight, and shall open for purposes of sale not more than one receptacle at a time.

### PART III.—TRANSPORT OF CARBIDE OF CALCIUM.

1. *Conditions of transport without license.*—No license shall be required for the transport of carbide of calcium in any quantity not exceeding five pounds if it is packed in separate vessels, each contain-

<sup>1</sup> Now designated Secretary to the Resident.

<sup>2</sup> Substituted by Notification No. 27-J., dated the 21st April, 1923. *Hyderabad Residency Orders*, 1923, Pt. I, p. 65.



ing not more than one pound, of the nature described in, and labelled as required by, rule 1 of Part V.

2. *Conditions of transport under license.*—Carbide of calcium in any quantity exceeding five pounds may be transported only under a license to transport carbide of calcium granted under these rules, and shall not be deposited at any time during transit in any building other than a building fulfilling the requirements of rules 5 and 6 of Part II, and shall not be stored in any such building except in accordance with the conditions as to storage prescribed by rule 7 of Part II.

3. *Conditions of transport by railway.*—Notwithstanding anything contained in rule 2 of this part, carbide of calcium, while in the possession of a railway for transport, shall not be stored in any railway goods shed, but shall be stacked in the open under waterproof sheets and so placed as to prevent its getting wet.

4. *Special precautions.*—All lights shall be kept away from carbide of calcium stacked as provided in rule 3 of this Part.

5. *Method of disposal if wetted in transit.*—[If any carbide of calcium becomes wetted while in the possession of a Railway for transport it shall be disposed of as laid down in rule 7-A of Part II of these rules.]<sup>1</sup>

6. *Conditions of transport by passenger train.*—(1) Where carbide of calcium is transported by passenger train, no quantity exceeding four hundred and fifty pounds shall be carried by any one train and the vehicles shall be well ventilated and as far as possible water-tight.

(2) In no circumstances shall a naked lamp or other unprotected artificial light be taken into a wagon, vessel or conveyance containing carbide of calcium.

7. *Transport licenses.*—Licenses to transport carbide of calcium shall be either general or special in Form C or Form D in the schedule, and may be granted by the First Assistant<sup>2</sup> Resident, Hyderabad, or by such other officer as the Resident may, from time to time, by an order in writing, appoint in this behalf.

8. *Grant of general transport license.*—A general license to transport carbide of calcium may be granted only to a person who holds an annual license to possess a quantity exceeding four hundred and fifty pounds of carbide of calcium.

9. *Grant of special transport license.*—A special license to transport carbide of calcium may be granted to any person for a particular consignment at the discretion of the licensing officer.

10. *Fee for general transport license.*—The fee for a general license to transport carbide of calcium shall be three rupees.

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<sup>1</sup> Substituted by Notification No. 69-J., dated the 5th August, 1920. *Hyderabad Residency Orders*, 1920, Pt. I, p. 202.

<sup>2</sup> Now designated Secretary to the Resident.

11. *Application for general transport license.*—An application for a general license to transport carbide of calcium shall state—

- (a) the number and date of the license to possess carbide of calcium held by the applicant; and
- (b) the period of currency of that license.

12. *Continuance of general transport license.*—<sup>1</sup>[A general license to transport carbide of calcium shall remain in force until the 31st December next following the date of issue of the license.]

13. *Application for special transport license.*—An application for special license to transport carbide of calcium shall state—

- (a) the place from which the carbide of calcium is to be transported;
- (b) the place to which it is to be transported;
- (c) the number of drums or cases;
- (d) the quantity in each drum or case;
- (e) the name and address of the consignee;
- (f) whether the consignee has a license to possess carbide of calcium sufficient to cover the amount transported; and
- (g) the date on which it is proposed to despatch the consignment.

14. *Continuance of special transport license.*—A special license to transport carbide of calcium shall be in force for such period, not exceeding one month from the date of the grant of the license, as may be specified on the same.

15. *Fee for special transport license.*—The fee for special license to transport carbide of calcium shall be one rupee.

16. *Issue and contents of passes.*—The holder of a general license to transport carbide of calcium shall, with each consignment conveyed under cover of his license, issue a pass in Form E in the schedule specifying—

- (a) the places from and to which the carbide of calcium is to be transported;
- (b) the quantity of carbide of calcium covered by the pass;
- (c) the name and address of the consignee; and
- (d) whether the consignee has a license to possess carbide of calcium sufficient to cover the amount transported.

17. *Validity of license granted in British India.*—Carbide of calcium may be transferred within———under cover of any license granted by the prescribed authority in any province in British India provided

<sup>1</sup> Substituted by Notification No. 27-J., dated the 21st April, 1923. *Hyderabad Residency Orders*, 1923, Pt. I, p. 65. <sup>1</sup>

that the conditions of such license are observed throughout the period during which the carbide of calcium is in transit.

#### PART IV.—OF INSPECTION.

1. *Powers of inspecting officer.*—The District Magistrate, the Sub-divisional Magistrate or any Magistrate subordinate to the District Magistrate appointed by him in this behalf by order in writing, or any police officer of or above the rank of inspector appointed by the District Magistrate in this behalf by order in writing, or any other officer appointed by the Resident in this behalf, may at any time enter any premises in respect of which a license to possess carbide of calcium has been granted, for the purpose of inspecting the same.

2. *Requisition of samples.*—Any officer so inspecting may require a sample or samples to be delivered to him from any drum or case of carbide of calcium stored in the premises inspected.

3. *Facilities to be afforded to inspecting officers.*—The licensee of any premises inspected shall personally or through a representative show the officer so inspecting every place and every vessel in which carbide of calcium in his possession is kept, deliver any samples required, and give such assistance as that officer may require.

4. *Inspection during transit.*—Where a license to transport carbide of calcium has been granted any officer authorised under rule 1 of this Part may, at any time and on or before the arrival of the carbide of calcium at its destination, detain any conveyance, used for such transport, for the purpose of inspecting the license granted for the transport of the consignment or the pass issued by the licensee and seeing whether the provisions of these rules and the conditions of the license have been complied with.

#### PART V.—GENERAL.

1. *Description and marking of vessels.*—Where carbide of calcium—

(a) is imported or kept at any place after seven days from the date of its importation, or

(b) is transported, or

(c) is sold or exposed for sale,

it shall be contained in substantial hermetically closed metal vessels each containing not more than two hundred and twenty-four pounds, having no copper in their construction and having attached to them

labels stating in conspicuous characters the words—"Carbide of Calcium—dangerous if not kept dry," together with the following caution:—

*"The contents of this package are liable, if brought into contact with moisture, to give off a highly inflammable gas,"*

and with the addition—

(d) in the case of a vessel kept, of the name and address of the consignee or owner;

(e) in the case of a vessel transported, of the name and address of the sender; and

(f) in the case of a vessel sold or exposed for sale, of the name and address of the vendor.

2. *Refusal of license.*—A licensing officer may, for reasons to be reported to the Resident, refuse a license in any case, the reasons for refusal being communicated to the applicant if a request to that effect is preferred by him; and the Resident may on receipt of such report, and of any representation made to him by the applicant, pass such orders on the case as he thinks fit.

3. *Report of accident.*—Any explosion or accident occurring in connection with the importation, transport, possession or sale of carbide of calcium shall be reported by the person in charge of the same for the time being without delay at the nearest police station.

4. *Procedure on death or disability of licensee.*—Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license. Such new license shall be granted on payment of one rupee.

5. *Loss of license.*—Where the license granted under these rules is lost or accidentally destroyed, a duplicate may be granted on payment of a fee of eight annas.

6. *Levy of license-fees.*—The fees chargeable under these rules shall ordinarily be levied by means of impressed stamps. An application for the grant or the renewal of a license shall bear the proper stamps: provided that, if the application is refused, the value of the separate stamp (if any) which may have been already provided by the applicant for the desired license or renewed license, *minus* the deductions prescribed by section 54 of the Indian Stamp Act, 1899 (II of 1899), as applied to the areas under the control of the Resident at Hyderabad may be refunded to the applicant. An application should not be made on the stamped paper intended for the license or renewed license; but

where this has been wrongly done, the value of the stamp may be refunded *minus*—

(i) the value of the stamp which should have been affixed to the application, and

(ii) the deductions prescribed as aforesaid.

Where the fees leviable under these rules have been made over to any local body, the fees shall be paid in such manner as that local authority may from time to time direct.

7. *Production of license.*—Any person holding a license or acting under a license granted under these rules shall be bound to produce the same when called upon to do so by any Magistrate or Police officer of or above the rank of an officer in charge of the police station.

## THE SCHEDULE.

### FORM A.

REGD. No.

Application to the \_\_\_\_\_ of \_\_\_\_\_ for a license to  
possess Carbide of Calcium.

Name in full of applicant with particulars of his residence. If a firm or company, its name or that of its Agent or Secretary.	
Situation of building for which the license is required.	
Quantity to be covered by license.	
Is the carbide for use or for sale unopened in the vessels in which it is received, and, if not, what will be done with it?	
In what vessels will the carbide be kept, what is the capacity of the same, how are they closed against moisture, and of what material are they made?	
In what part of the building will the carbide be kept?	
How are the premises constructed?	
Are the premises used for other purposes, and, if so, for what purposes?	
Is the carbide to be used for the manufacture of acetylene gas?	

How is the generator constructed, and what is its capacity. Give sketch.

Give particulars as to the building in which the generator will be placed, and state whether it is detached from other buildings, and whether it is used for other purposes.

How is it proposed to dispose of the residue?

Will the generator be in the sole charge of a person competent to manage it?

*Dated*

*Signature of applicant.*

*Postal address.*

FORM B.

No.

A license to possess not more than

pounds of carbide of calcium at any one time in the building described on the reverse is hereby granted to

subject to the rules and conditions endorsed hereon. This license shall continue in force till, and become void after, the (Description of the building referred to to be on the back of this license.)

*Signature*

of \_\_\_\_\_

*Dated*

19 .

ENDORSEMENT ON FORM B.

*Rules.*

[Here enter rules, 1, 2, 3, 5 to 14 of Part II, 1 to 3 of Part IV, and 1 to 7 of Part V.]

*Conditions.*

This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the areas under the control of the Resident at Hyderabad and the abovementioned rules for the possession and sale of carbide of calcium made thereunder.

2. If the licensing officer or any officer appointed under rule 1 of Part IV calls on the license-holder by notice in writing, to execute any repairs to the building licensed which may, in the opinion of such officer, be necessary for the safety thereof, the license-holder shall exe-

cute the repairs within such period, not being less than one week from the date of receipt of the notice, as may be fixed by the notice.

3. Subject to the provisions of rule 2 of Part II, the licensee shall not deliver any quantity of carbide of calcium exceeding twenty-eight pounds to any one who has not a license under section 11 of the Act as applied or any quantity of such carbide of calcium exceeding half a pound, except in accordance with the rules as to the manner in which carbide of calcium is to be packed.

4. Vessels containing carbide of calcium shall be opened only for the time necessary for the removal of any quantity of carbide of calcium or for the refilling of other vessels. During such removal or refilling every reasonable precaution shall be adopted for preventing moisture being brought into contact with the carbide of calcium, as well as for guarding against the risk of ignition of any gas which may be liberated.

5. Every storage vessel of a greater storage capacity than two pounds shall be secured with a lock or be kept in a locked receptacle, so as to prevent unauthorised persons having access to the contents.

6. Due precaution shall at all times be taken for the prevention of accidents from fire, and no smoking, light, or fire in any form shall be permitted at any time within or near the building in which the carbide of calcium is stored.

7. If carbide of calcium is used for the manufacture of acetylene gas, the following precautions for ensuring safety shall be adopted:—

<sup>1</sup>[(a) The apparatus used whether manufactured in British India or imported must have been examined and certified to be suitable by such competent authority as the Resident may, from time to time specially authorise in this behalf.]

(b) Every apparatus for generating and storing acetylene gas other than a portable apparatus holding a charge of less than two pounds of carbide of calcium shall be placed in an out-building which shall be separated as far as may be practicable from any inhabited building and shall be well ventilated.

(c) No fire or such artificial light as would ignite inflammable gas shall be taken into or near the building, in which a gas-making apparatus is placed.

8. Every apparatus (including generator and gas-holder) used for the manufacture of acetylene gas shall, as far as practicable, be constructed and used so as to provide against special risk, that is to say:—

(a) Copper shall not be used in any part of the apparatus.

(b) The various parts shall be of adequate strength.

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<sup>1</sup> Substituted by Notification No. 104-J., dated the 17th October, 1928. Hyderabad Residency Orders, 1928, Pt. I, p. 159.

- (c) The escape of gas from the apparatus shall be carefully guarded against.
- (d) Satisfactory provision shall be made against the dangerous development of heat.
- (e) Satisfactory provision against undue pressure shall be made by the employment of an adequate safety valve connected with a pipe discharging into the open air and a suitable pressure gauge shall be attached to the apparatus.
- (f) Provision shall be made for the residue of the carbide of calcium being mixed with at least ten times its bulk of water on being removed from the apparatus.
- (g) No person shall have charge of an apparatus unless he has been properly instructed in its management.

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FORM C.

No.

A general license to transport  
pounds of carbide of calcium by rail, by road or by water,  
, is hereby granted to

subject to the rules and conditions endorsed hereon.

This license shall continue in force till, and become void after,  
the

*Signature*

*Dated the*

*19* .

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ENDORSEMENT ON FORM C.

*Rules.*

[Here enter rules 1, 2, 6 to 8, 10 to 12 and 16 of Part III, rule 4 of Part IV, and rules 1 to 7 of Part V.]

*Conditions.*

1. This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the areas under the control of the Resident at Hyderabad and the abovementioned rules for the transport of carbide of calcium made thereunder.

2. Where the carbide of calcium is conveyed by steamer, it shall be stowed in any such part of the steamer and in such manner as may be approved by the licensing officer.



3. Where the carbide of calcium is conveyed by rail, it shall be subject to all the regulations which may, from time to time, be prescribed generally or specially in that behalf by the railway authority of the line over which it is conveyed.

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FORM D.

No.

A special license to transport  
pounds of carbide of calcium from

to is hereby granted to

, subject to the rules and conditions endorsed  
hereon, and by the following route, namely:—

The weight of carbide of calcium in each package shall not exceed

This license shall continue in force till, and become void after, the  
day of 19 .

*Signature*

*Dated the*

19 .

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ENDORSEMENT ON FORM D.

*Rules.*

[Here enter rules 1, 2, 6, 7, 9, and 13 to 15 of Part III, rule 4 of Part IV, and rules 1 to 7 of Part V.]

*Conditions.*

1. This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the areas under the control of the Resident at Hyderabad and the abovementioned rules for the transport of carbide of calcium made thereunder.

2. Where the carbide of calcium is conveyed by steamer, it shall be stowed in any such part of the steamer and in such manner as may be approved by the licensing officer.

3. Where the carbide of calcium is conveyed by rail, it shall be subject to all the regulations which may, from time to time, be prescribed generally or specially in that behalf by the railway authority of the line over which it is conveyed.

FORM E.

No.

This pass covers  
containing \_\_\_\_\_ packages  
of calcium being the property of (consignee's name) \_\_\_\_\_ pounds of carbide  
transport from \_\_\_\_\_ to \_\_\_\_\_ while in

The said (consignee's name)  
has a license to possess carbide of calcium sufficient to cover the amount  
abovementioned.

*Holder of General License No.*

*Dated the* \_\_\_\_\_ *19 .*

[*Hyderabad Residency Orders, 1907, Pt. I, p. 113.*]

*Conferment of powers under section 12,*

*No. 37, dated the 29th June, 1909.*—In exercise of the powers conferred by section 12 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied \* \* \* to the areas in the Hyderabad State in which the Governor General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased specially to authorise the officers mentioned in the schedule hereto annexed by virtue of their offices to exercise within the local limits shown in the second column of the said schedule the powers specified in the said section.

*Schedule.*

The Chief Inspector of Explosives and the Inspectors of Explosives. In all parts of the areas specified above.

All District Magistrates . . . . . Within their respective districts.

All Magistrates subordinate to the District Magistrate. Within the areas respectively subject to their jurisdiction.

All Police officers not below the rank of Sub-Inspector. Within the areas over which respectively their authority extends.

[*Hyderabad Residency Orders, 1909, Pt. I, p. 122.*]

*Application of certain provisions of the Act to carbide of calcium.*

*No. 428-I. B., dated the 1st February, 1907.*—In exercise of the powers conferred by section 22 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Hyderabad Residency Bazars, the Cantonments of Secunderabad and Aurangabad and the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* \* the Governor General in Council is pleased to apply to carbide of calcium the provisions of sections 8 to 15, 17, 18, 23, and 24 of the said Act, and to prescribe that, for the quantity of petroleum mentioned in section 11 of

the same Act, such quantity or quantities of carbide of calcium shall be substituted as may be prescribed by the rules for the time being in force relating to the possession and transport of carbide of calcium.

[*Gazette of India*, 1907, Pt. I, p. 75.]

*Application of certain provisions of the Act to calcium phosphide.*

No. 1728—790-Int., dated the 14th August, 1922.—In exercise of the powers conferred by section 22 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Administered Areas in the Hyderabad State, the Governor General in Council is pleased to apply to Calcium Phosphide the provisions of sections 8 to 15, 17, 18, 23 and 24 of the said Act, and to prescribe that, for the quantity of petroleum mentioned in section 11 of that Act, such quantity or quantities of Calcium Phosphide shall be substituted as may be prescribed by the rules for the time being in force relating to the possession and transport of Calcium Phosphide.

[*Gazette of India*, 1922, Pt. I, p. 1035.]

*Application of the Act to Acetone, Wood Naptha and Methyl Alcohol.*

No. 391-I., dated the 22nd June, 1927.—In exercise of the powers conferred by sub-section (1) of section 22 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Administered Areas in the Hyderabad State, the Governor General in Council is pleased to apply all the provisions of the said Act to each of the following substances, namely:—

1. Acetone,
2. Wood Naptha,
3. Methyl Alcohol.

[*Gazette of India*, 1927, Pt. I, p. 641 ]

*Place where barometer for test-apparatus is to be standardized.*

No. 20, dated the 7th June, 1894.—For the purposes of <sup>1</sup>paragraph 1 (9) of the schedule to the Petroleum Act, 1886, as applied to the railway lands in the territory of His Highness the Nizam of Hyderabad \* \* the Resident at Hyderabad is pleased to appoint, with the consent of the Government of Madras, the Meteorological office at Madras to be the Meteorological office referred to in the said paragraph.

[*Hyderabad Residency Orders*, 1894, Pt. I, p. 153.]

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<sup>1</sup> See now Part I of the First Schedule to the Indian Petroleum Act, 1899, as applied by Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

GLANDERS AND FARCY ACT, 1899.

*Rules for Secunderabad.*

<sup>1</sup>No. 25, dated the 4th September, 1883.—Under the powers vested in him by section 14 of the Glanders and Farcy Act extended<sup>2</sup> to the Cantonment of Secunderabad \* \* \* the Resident is pleased to make and issue the following rules:—

1. In these rules the words “horse,” “diseased” have the meanings which they have in the Act.

“Inspector” and “Veterinary Surgeon” mean respectively the officers who may from time to time be appointed by the Resident to perform the duties which the Act assigns to Inspector and Veterinary Surgeon.

2. The Inspector shall perform his duties subject to the supervision and control of the <sup>1</sup>[Executive Officer].

3. No Inspector shall enter or search any field, building, or other place before sunrise or after sunset or until he has given notice to the owner of such field, building, or place, or to his servants of his intention to make such entry and search.

Provided that when an Inspector has reason to believe that unless the seizure is made at once the horse will be removed or will escape and spread the disease, he may make the entry and search at any time and without notice.

4. Sections 48 and 102 of the Code of Criminal Procedure shall apply to searches made by Inspectors under the Act.

5. The Cantonment <sup>1</sup>[Board] shall appoint places where horses supposed to be diseased may be taken for examination by the Veterinary Surgeon.

6. When an Inspector seizes a horse in the belief that he is diseased he shall at once send intimation to the Veterinary Surgeon and shall either remove the horse to a place appointed under the preceding rule or if he thinks that the examination can more conveniently and without risk be made at the place where the horse is, may leave him there taking such precautions as he may think fit to prevent his removal or escape.

7. The Veterinary Surgeon shall be bound, on receiving intimation that a horse has been seized, to proceed to the place where he is without avoidable delay and to examine him.

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<sup>1</sup> The words “Executive Officer” and “Cantonment Board” in this Notification were substituted for “Cantonment Magistrate” and “Cantonment Committee” respectively by Notification No. 18-J., dated the 23rd February, 1925. *Hyderabad Residency Orders*, 1925, Pt. I, p. 21.

<sup>2</sup> See now Notification No. 260-L., dated the 24th April, 1929. Printed *supra*, p. 27.

8. The Cantonment <sup>1</sup>[Board] shall appoint places where diseased animals may be destroyed and shall also prescribe the precautions to be observed in removing horses from places where they are examined to places where they are to be destroyed.

9. The carcase of every animal destroyed shall be immediately burnt in a public cinerator which the Cantonment authorities will supply for that purpose.

10. The stable or place where an animal is found diseased should be whitewashed, the floor dug up, fresh earth put in and the place thoroughly disinfected with sulphur, so that the smoke may pass well through the roof. The place so disinfected should be left unoccupied for at least 15 days. The bedding, grass, and all the gear of the diseased animal should be burnt in the presence of the Inspector.

11. Notices under section 9 shall be in Form A attached.

12. Licenses under section 11 shall be in Form B. After a horse has been pronounced by the Veterinary Surgeon to be diseased, the Inspector shall describe to him (if he has not seen it) the place where the horse was found and shall obtain his written opinion as to the granting of licenses under section 11, and shall be guided thereby.

13. The Inspector shall keep a diary and shall enter therein, as they occur, all entries, searches, and seizures made and all proceedings taken by him under the Act, and every Monday shall take this diary to the <sup>1</sup>[Executive Officer] and obtain his signature thereto.

14. The Inspector shall receive a permanent advance of Rs. 5, and shall enter in a book in such form as the <sup>1</sup>[Executive Officer] may prescribe, all sums received and expended by him under the Act, and shall at the end of each month obtain the signature of the <sup>1</sup>[Executive Officer] to the book.

The Inspector shall render such accounts as the <sup>1</sup>[Executive Officer] may from time to time require him to render.

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#### FORM A.

*Notices under section 9, Glanders and Farcy Act, 1879.*

To \_\_\_\_\_ of \_\_\_\_\_.

Whereas a horse found to have been diseased was on the \_\_\_\_\_ found in \_\_\_\_\_ in your possession (or under your charge), you are hereby directed, on the receipt of this notice, to take the precautionary measures specified on the reverse. In default of compliance with this order, you will be liable, on conviction

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<sup>1</sup> See footnote, on p. 402.

before a Magistrate, to imprisonment for a term which may extend to one month or with a fine not exceeding Rs. 50, or with both.

*Signature*

*Dated*

(Specification of precautionary measures.)

*Inspector.*

FORM B.

*License under section 11, Glanders and Farcy Act, 1879.*

To \_\_\_\_\_ of \_\_\_\_\_

Permission is hereby granted to you to  
(Here describe the animals, the extent of the permission granted, and  
the conditions by which it may be limited.)

Any infringement of the conditions of this license will render you liable, on conviction before a Magistrate, to imprisonment and fine as provided in section 13 of the Act.

*Signature*

*Inspector.*

*Dated*

[*Hyderabad Residency Orders*, 1883, Pt. I, p. 110.]

*Rules for Aurangabad.*

*No. 266, dated the 21st December, 1881.*—The following rules framed under the provisions of the Glanders and Farcy Act (XX of 1879) are, with the approval of the Government of India, published for information and guidance of officers concerned in the several stations of the Hyderabad Contingent, and will come into force from the 1st January, 1882.

*Preamble.*—In these rules “horses” includes also ponies, asses, mules and jennets. “Diseased” means affected with glanders or farcy:—

I. Officers Commanding Stations are empowered to cause to be seized any horse within cantonment limits which they have reason to believe, from personal knowledge, or from information given by any person, and taken down in writing, is diseased, and may, for this purpose, cause to be entered and searched any field, building, or other place in which they have reason to believe any such horse is to be found.

II. On any such seizure, the Officer Commanding shall, in communication with the Officer Commanding the Cavalry Regiment or Battery of Artillery in the cantonment, cause the horse seized to be at once examined by a Saloothrie of either corps.

III. If the Saloothrie declares that such horse is diseased, the Officer Commanding shall cause the same to be immediately destroyed; provided that if a Veterinary Surgeon be within reach and the owner of the horse be dissatisfied with the opinion of the Saloothrie, such owner shall be at liberty at his own expense to have the horse at once re-examined by a Veterinary Surgeon, whose opinion as to the disease shall be final, and shall be acted on by the Officer Commanding; should the horse be declared not to be diseased, it shall be at once made over to the person entitled to possession thereof.

IV. When any diseased horse has been in any building, shed, etc., the Officer Commanding may direct such building, etc., to be disinfected and the fittings thereof destroyed, should he consider such to be necessary.

V. On failure or neglect of the owner or other person to carry out such direction, the Officer Commanding may direct the same to be carried out at the expense of such person, etc., and the cost thereof levied by the Superintendent of Police as if such were a fine.

VI. The owner or any person in charge of a diseased horse shall give immediate information thereof to the Officer Commanding, or the Superintendent of Police.

VII. No horse which has been in the same building or place, or in contact with a diseased horse, shall be moved, except *bonâ fide* for the purpose of preventing infection, or with the permission of the Officer Commanding.

VIII. None of the above rules apply to the registered chargers of officers, or to the horses or ponies of the regiments and batteries of the Hyderabad Contingent, which in case of disease will be dealt with under Regulations.

[*Hyderabad Residency Orders*, 1882, Pt. I, p. 4.]

CHURCH OF SCOTLAND KIRK SESSIONS ACT, 1899.

*Constitution of the Kirk Session in Secunderabad.*

No. 3774-I. A., dated the 24th August, 1900.—In exercise of the powers conferred by section 2, sub-section (2), of the Church of Scotland Kirk Sessions Act, 1899 (XXIII of 1899), as applied to the Cantonment of Secunderabad by the notification of the Government of India in the Foreign Department, 'No. 3773-I. A., dated the 24th

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<sup>1</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

August, 1900, the Governor General in Council is pleased to notify that the Kirk Session of the Church of Scotland at present existing in the said cantonment has been duly constituted for ecclesiastical purposes in pursuance of an Act of the General Assembly of the Church of Scotland.

[*Gazette of India*, 1900, Pt. I, p. 525.]

#### PRISONERS ACT, 1900.

##### *Removal of prisoners.*

No. 4399-I. B., dated the 9th December, 1904.—In exercise of the powers conferred by section 29 (I) of the Prisoners Act, 1900 (III of 1900), as applied to the Cantonment of Secunderabad by the notification of the Government of India in the Foreign Department, <sup>1</sup>No. 531-I. B., dated the 4th February, 1904, the Governor General in Council is pleased to make the following order as to the removal of prisoners referred to in section 29 (I) of the said Act from the said Cantonment to prisons in British India:—

#### ORDER.

1. (I) Any prisoner who is a member of a criminal tribe or a police-registered criminal, and is not a native of the Hyderabad State, may be removed by order of the Inspector-General of Jails, Secunderabad, at any time not exceeding two months prior to his release to the prison of the district to which the prisoner belongs or to the prison nearest to his native place:

Provided that, if any Local Government appoints any prison as a receiving dépôt for prisoners removed from Secunderabad, orders made under this clause shall in each case direct that the prisoner be removed to such a prison.

(2) Before any prisoner be removed under sub-clause (1), the said Inspector-General of Jails shall send notice to the Inspector-General of Prisons in the Province to which it is intended to remove him.

2. Any prisoner whose detention in the Secunderabad Jail is deemed inexpedient may be removed to the Yerrowda Jail with the previous consent of the Inspector-General of Prisons, Bombay.

3. Any prisoner undergoing sentence in the Secunderabad Jail, whose services, by reason of his possessing special qualifications or a knowledge of a special trade, are required for purposes of prison administration in the Bombay Presidency, may be removed to any prison in the Bombay Presidency by order of the Inspector-General of Jails, Secunderabad.

4. Any European military or ex-military prisoner, undergoing a sentence imposed by a Civil Court, whom it is intended to remove from

<sup>1</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.



India, may be removed by order of the Resident at Hyderabad, at any time not exceeding three months prior to his release, to a prison at the port from which it is proposed that he should embark.

[*Gazette of India*, 1904, Pt. I, p. 917.]

*Jail for reception of lunatic prisoners who become sane.*

No. 3723-I., dated the 20th September, 1889.— \* \*

2. The Governor-General in Council is further pleased to direct that for the purposes of section 31, sub-section (2), of the Prisoners Act, 1871, as amended by Act X of 1886, the Nagpur Jail shall be deemed to be a prison within the territories subject to the Resident at Hyderabad.

[*Gazette of India*, 1889, Pt. I, p. 519.]

*Jail for prisoners sentenced to transportation.*

No. 1808-I. B., dated the 23rd June, 1920.—In exercise of the powers conferred by section 32 of the Prisoners Act, 1900 (III of 1900), as applied to the Administered Areas in the Hyderabad State, and in supersession of the Notification of the Government of India in the Foreign Department, No. 3364-I., dated the 17th September, 1886, the Governor-General in Council is pleased to appoint the Central Jail at Raipur in the Central Provinces as the place to which prisoners sentenced to transportation in the said Areas shall be sent.

[*Gazette of India*, 1920, Pt. I, p. 1234.]

#### INDIAN RAILWAY BOARD ACT, 1905.

##### *Powers of the Railway Board.*

No. 801, dated the 24th March, 1905.

No. 9940, dated the 17th December, 1906.

No. 2072, dated the 8th April, 1907.

No. 2140, dated the 28th February, 1908.

} Printed in Appendix  
XXII.

#### INDIAN REGISTRATION ACT, 1908.

##### *Appointment of Inspector-General of Registration.*

No. 5, dated the 16th January, 1904.—In exercise of the powers conferred by section 4 of the Indian Registration Act, III of 1877, as applied to the Hyderabad Residency Bazars, the Cantonment of Secunderabad and Aurangabad, and the railway lands in the territories of His Highness the Nizam \* \* the Resident at Hyderabad has appointed, with effect from the 10th October, 1903, the First Assistant<sup>1</sup> to

<sup>1</sup> See now section 30 of the Prisoners Act, 1900, as applied by Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

<sup>2</sup> See now section 3 of the Indian Registration Act, 1908 (XVI of 1908), as applied by Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

<sup>3</sup> Now designated Secretary to the Resident.

the Resident at Hyderabad for the time being to be the Inspector-General of Registration for the aforesaid areas in place of the Inspector-General of Registration, Hyderabad Assigned Districts.

[*Hyderabad Residency Orders*, 1904, Pt. I, p. 58.]

*Secunderabad the Railway lands and the Residency Bazars to be a District with Sub-Districts, appointment of Registrar and Sub-Registrars.*

No. 37-J., dated the 7th May, 1927.—In exercise of the powers conferred by sections 5, 6 and 7 of the Indian Registration Act, 1908 (XVI of 1908), as applied to the British Administered Areas in the Hyderabad State, and in supersession of the *Hyderabad Residency Orders* Notification No. 19-J., dated the 23rd February, 1925, the Resident is pleased to issue the following orders:—

- (1) For the purposes of the Act, the Cantonment of Secunderabad, the Railway lands in the Hyderabad State under the Resident's control and the Hyderabad Residency Bazars shall form a District.
- (2) The District Magistrate for the British Administered Areas in the Hyderabad State shall be the Registrar of the District and his office shall be the office of the Registrar.
- (3) The Cantonment of Secunderabad and the Railway lands shall form one sub-district and the Hyderabad Residency Bazars another sub-district.
- (4) Such person as may be appointed from time to time by the Inspector-General of Registration shall be the Sub-Registrar of the sub-district comprising the Secunderabad Cantonment and the Railway lands and his office shall be the office of the Sub-Registrar.
- (5) The Head Clerk for the time being of the office of the Superintendent, Residency Bazars, and Chairman, Residency Bazars Committee, Hyderabad, shall be the Sub-Registrar of the sub-district of the Residency Bazars, and the office of the Residency Bazars Committee shall be the office of the Sub-Registrar.

[*Hyderabad Residency Orders*, 1927, Pt. I, p. 59.]

*Aurangabad to be a District. Appointment of Registrar.*

No. 30-J., dated the 10th April, 1924.—In exercise of the powers conferred by sections 5, 6 and 7 of the Indian Registration Act, 1908 (XVI of 1908), as applied to the Cantonment of Aurangabad and in

supersession of *Residency Orders* Notification No. 262, dated the 14th July, 1894, the Resident is pleased to issue the following orders:—

- (1) For the purposes of the Act the Cantonment of Aurangabad shall form a District.
- (2) The Judicial Officer, Aurangabad, for the time being, shall be the Registrar of the said District and his office shall be the office of the Registrar.

[*Hyderabad Residency Orders*, 1924, Pt. I, p. 91.]

*Rules for Secunderabad, Aurangabad, the Residency Bazars, and Railway Lands.*

No. 190, dated the 15th October, 1883.—The following rules framed under section 69 of the Indian Registration Act, 1877,<sup>1</sup> and sanctioned by the Resident<sup>2</sup> experimentally for six months, are hereby published for general information:—

#### PART I.—REGISTERS AND BOOKS.

##### *General.*

1. Registers and books shall be maintained according to the forms given in the appendices to these rules.

2. The following registers and books shall be kept in Registration offices:—

Book	I.	} As prescribed by section 51 of the Act. For all offices.	} In all offices.
,,	II.		
,,	III.		
,,	IV.		
,,	V.—As	prescribed by section 51 of the Act. In the offices of Registrars only.	
,,	VI.—Register of Powers of Attorney authenticated under section 33.		
,,	VII.—Minute Book.		
,,	VIII.—Fee Book.		
,,	IX.—Cash Account Book.		
,,	X.—Book of Receipt Forms.		
,,	XI.—File Book of Applications.		

<sup>1</sup> See now the Indian Registration Act, 1908 (XVI of 1908), as applied by Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

<sup>2</sup> These rules, which were made in the first instance for Berar, were permanently applied to Secunderabad by Notification No. 160, dated the 24th July, 1884 (*Hyderabad Residency Orders*, 1884, Pt. I, p. 105), to the Residency Bazars by Notification No. 4, dated the 4th March, 1891 (*Hyderabad Residency Orders*, 1891, Pt. I, p. 44), and to Railway Lands by Notification No. 13, dated the 5th May, 1894 (*Hyderabad Residency Orders*, 1894, Pt. I, p. 112). They apply to Aurangabad by virtue of Notification No. 3694-I. B., dated the 7th October, 1904. Printed *supra*, p. 87, footnote 1.

3. When any book, except a file book of applications, is issued by a Registrar, he shall, as required by section 16 of the Act, enter on the first page a certificate in the following form:—

*Certified that this book issued to the \_\_\_\_\_ contains  
pages numbered in print consecutively from 1 to \_\_\_\_\_ inclusive.*

*Dated*

Registrar,  
District.

4. It is the duty of every registering officer on receiving a new register to examine it and ascertain that it is paged as certified on the first leaf. If the paging be found correct, he shall certify to that effect under the issuing officer's certificate. If the paging be not correct, the register shall be at once returned to the issuing officer. In no case may the paging of a register be altered except with the written authority of the Inspector-General.

5. When a book is completed, the registering officer, before putting it by in the almirah, shall examine it, and shall certify at the end of the book that the paging is correct according to the certificate of the issuing officer on the first page. If any discrepancy in the paging is found, he shall at once report to the Registrar.

6. In the same way on receipt of books from Sub-Registrars under rule 81, the Registrar shall cause them to be examined, and shall record a similar certificate at the end of the book under the Sub-Registrar's certificate.

7. The volumes of each register book shall be numbered in a consecutive series, which shall not terminate with the year, but shall be carried on perpetually.

8. Each volume of a register book is to be labelled thus:—

Sub-district

Volume No.

Book No.

For period

from 18 to 18 .

9. A fresh numerical series of entries must be commenced each calendar year, as required by section 53.

10. If the amount of copying in any office is great, two volumes of books No. I or IV may, with the sanction of the Registrar, be used simultaneously. In this case, documents bearing even numbers should be copied into one, and those bearing odd numbers into the other.

11. When a copy of a registered document is transferred from one book to another by an order of the Registrar under section 68, the registering officer shall write the word *cancelled* in red ink across the copy erroneously made, and make an entry in the column of remarks to the following effect:—

<i>Transferred to Book No.</i>	<i>vide serial No.</i>	<i>18</i>	<i>, under</i>
<i>order No.</i>	<i>dated</i>	<i>from Registrar.</i>	

Book No. I.—*Register of non-testamentary documents relating to immoveable property.*—For form see Appendix No. I.

12. If a document affects moveable property as well as immoveable, it shall nevertheless be copied into Book No. I.

13. In addition to the *entrees* which have to be made in this book, the following documents have to be *filed*:—

- (a) Copies of maps and plans (section 61).
- (b) Copies and translations (section 62).
- (c) Copies and memoranda of documents received from other offices under sections 64 to 67 of the Registration Act.
- (d) Copies of certificates granted by officers under the Land Improvement Loans Act, <sup>1</sup>[1883] (section 89).
- (e) Copies of certificates of sale of immoveable property granted by Civil Courts under section 316, Civil Procedure Code (section 89).

14. To prevent the injury to binding which results from the introduction of these documents into the bound registers, a separate file book, to be called “*Supplementary Book No. I*”, will be kept in each office, in which the abovementioned documents shall be filed.

15. When a document <sup>2</sup>[referring to property other than fields with Survey Nos.] registered in Book No. I affects another document also registered, a note shall be made in the column of remarks opposite the copy of each document referring to the other document thus:—

<i>Vide Serial No.</i>	<i>of 18</i>
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16. When a copy of a map or plan is filed under section 61 in the Supplementary Book, a note of the pages on which it is filed shall be made in Book No. I in the column of “*remarks*.”

17. A similar note shall be made with reference to the translation and copy of a document registered under section 62.

<sup>1</sup> Substituted by Notification No. 410, dated the 22nd November, 1894. *Hyderabad Residency Orders*, 1894, Pt. I, p. 325.

<sup>2</sup> Added by Notification No. 64, dated the 23rd February, 1891 *Hyderabad Residency Orders*, 1891, Pt. I, p. 37.

18 On every copy of a plan, map or document, and on every translation filed in Supplementary Book No. I, a note shall be recorded thus:—

*“Relates to Serial No.                      of 18   , copied in volume                      Book No. I.”*

19. To every copy, memorandum, or copy of a map or plan filed in Supplementary Book No. I, shall be given a serial number, which shall be quoted in Indexes I and II as hereinafter provided.

20. When under section 39 of Act I of 1877 (The Specific Relief Act), a decree directing cancellation of a registered document is received, the registering officer shall make an entry in the column of remarks to the following effect:—

*In Serial No.                      in the Court of*

*Plaintiff (name).*

*Defendant (name).*

*By decree made in the above suit this document was ordered to be cancelled.*

This endorsement shall be signed and dated by the registering officer.

21. When, under section 31 of the same Act, a Court has ordered rectification of a registered document, and fresh registration of the rectified document is applied for, a note shall be made in the column of remarks opposite the copy of the original documents to the following effect:—

*For copy of this document as rectified under section 31 of Act I of 1877, vide Serial No.                      Volume                      Book No.                      of 18   .*

22. Opposite the copy of the rectified document, a note to the following effect shall be recorded in the column of remarks:—

*This is a copy of the document as rectified under section 31 of Act I of 1877; for copy of original document, vide Serial No.                      Volume*

*Book No.                      of 18   .*

These notes will be dated and signed by the registering officer.

Book No. II.—*Record of reasons for refusal to register.*—For form of Register see Appendix No. II.

23. The following are valid reasons for refusal to register:—

(a) That the document being dutiable under the “Court Fees Act, 1870,” is not properly stamped.

(b) That the document has been presented by a person not authorized by law to present it, sections 32 and 40.

- (c) That an alleged representative, assign, or agent has failed to prove his status within the period allowed for the appearance of executing parties by the Act, section 34.
- (d) That by late presentation under sections 23—26 or late appearance of executing parties, or of their representatives, assigns, or agents duly authorised under section 34, the registration of the document is time-barred.
- (e) That execution is denied, or that the person by whom the document purports to have been executed is a minor, an idiot, or a lunatic: or that he is dead, and his representative or assign denies execution: or that the persons by whom the document purports to have been executed have failed to satisfy the registering officer of their identity within the period allowed for the appearance of executing parties by the Act.
- (f) That a document impounded under the Indian Stamp Act, <sup>1</sup>[1899], or rules framed under that Act, has been represented without an endorsement by the Collector under section <sup>1</sup>[40 (a) or 42] of that Act.
- (g) That fees and costs of registration having been demanded under section 80 of the Act have not been paid.
- (h) That a document having been presented and returned for amendment because it is not accompanied by a true translation and a true copy or by true copy of map or plan, is again presented without such translation or copy, sections 19 and 21.

24. The reasons for refusal to register shall be entered in Book No. II as soon as it has been decided to refuse registration. On the document only the words "Registration refused," with the date and the signature and title of the registering officer, shall be endorsed. The endorsement shall be duly sealed.

25. When a document, which has been refused registration, is subsequently registered by order of the Registrar under section 72 or 75, or of a Civil Court under section 77, a note showing the date of the order, its nature and the authority issuing it, shall be made in the appropriate column of Book No. II.

26. Registration shall not be refused on grounds such as the following:—

- (a) That any person claiming under or executing the document does not wish it to be registered.

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<sup>1</sup> Substituted by Notification No. 124, dated the 23rd May, 1902. *Hyderabad Residency Orders*, 1902, Pt. I, p. 143.

- (b) That the document deals with property not belonging to the parties by whom it purports to have been executed.
- (c) That the transaction is fraudulent or opposed to public policy.
- (d) That the document was executed under coercion, or by fraud, or under misrepresentation.

27. The reasons for refusal should be entered in sufficient detail to enable an appellate or inspecting officer to judge of their validity.

28. When under section 35 of the Registration Act as amended by Act XII of 1879, registration is admitted as to some of the parties to a document, but refused as to others, the document shall be thus endorsed :—

*Registration refused as to\**

and the reasons for the partial refusal shall be entered in Book No. II. Registration shall proceed as to the parties with regard to whom registration is admitted in the usual manner.

29. When after refusal to register, registration is ordered by the Registrar under section 72 or 75, or by a Court under section 77, on representation of the document, the registering officer shall endorse it as follows :—

*Registration ordered by*                      *in order No.*                      *, dated*

(Signed)

*Registering Officer.*

Book No. III.—*Register of Wills and authorities to adopt.*—The form is given as Appendix No. I.

30. The provisions of sections 64 and 65 regarding the issue of memoranda are not applicable to wills.

31. In this book will be *filed* translations and true copies of wills and authorities to adopt registered (*vide* section 62).

32. *Deeds of adoption* should not be copied into this book, but into Book No. IV.

Book No. IV.—*Miscellaneous register.*—The form is given as Appendix No. I.

33. In this book shall be filed translations and true copies of documents which fall to be registered in it (section 62).



Book No. V.—*Register of Deposits of Wills*.—For form see Appendix No. III.

34. When under section 259, Act X of 1865, "*The Indian Succession Act*," a will is removed by order of a Court, entries will be made in columns 10, 11, 12 and 13 of the register.

35. When a will is forwarded to any Court under section 46 of the Act, it shall be accompanied by a memorandum of the fee for opening the cover and copying charges, and it shall be the duty of the Court to levy and remit such fees to the Registrar.

<sup>1</sup>[35-A. When under section 45 of the Act, the cover containing a will has been opened and the contents thereof have been copied into Book No. III, before re-depositing the will, the District Registrar shall re-seal the cover with his official seal and shall make on the cover an endorsement in the following form:—

" Sealed cover opened on the application of \_\_\_\_\_, son of \_\_\_\_\_, on the \_\_\_\_\_ 189 , and contents thereof copied into Book No. III as serial No. \_\_\_\_\_ of 189 .]

Book No. VI.—*Register of Powers of Attorney authenticated*.—Will be kept in form of Appendix No. IV.

36. In this register will be entered details of powers of attorney authenticated under section 33 of the Act by the Registrar or Sub-Registrar. No power of attorney can be *authenticated* unless it has been *executed* before the registering officer, provided that in the case of a general power of attorney, a clause may be added in the presence of the registering officer conferring on the agent authority to act under the Registration Act: and such clause may then be authenticated under section 33.

37. The authentication certificate shall be in one of the forms given in Appendix No. V, and if in addition to being authenticated the power is also registered, the authentication certificate shall be copied with the power.

Book No. VII.—*Minute Book*.—Form as in Appendix No. VI.

38. In this book shall be recorded the following entries:—

- (1) Reasons of Registrar for declining to register a document presented to him for registration—*vide* rule 145.
- (2) The name of presenter, date of presentation and return for amendment, with the nature and reasons for return of a document returned for amendment under rule 122.

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<sup>1</sup> Added by Notification No. 409, dated the 22nd November, 1894. *Hyderabad Residency Orders*, 1894, Pt. I, p. 324.

- (3) Substance of statement made by a person examined on oath under section 63.
- (4) The cause of delay in the completion of registration of any document, when such document is not registered on day of presentation (*see* rule 39).
- (5) Nature of documents impounded under the Indian Stamp Act with date of impounding and names of parties to the document who have appeared before the registering officer.
- (6) The date of issue of a memorandum or copy under sections 64—66 with serial number of document to which it refers and the office to which sent.
- (7) The following particulars regarding applications lodged under sections 24 and 34 of the Registration Act, *viz.* :—
  - (a) Date of application being lodged.
  - (b) Date of forwarding it to Registrar
  - (c) Date of its being received back from Registrar.
  - (d) Date of communication of Registrar's order to applicant.
- (8) Reasons for non-compliance with applications for inspection of copies.
- (9) Special reasons for visit under sections 31, '[33 and 38] with date of departure and return
- (10) Details of all notices issued and other miscellaneous proceedings of registering officers.
- (11) Note of delivery of any authenticated copy under section <sup>2</sup>[46] of the Indian Stamp Act, with the nature and date of document and names of parties.

39. When under rule 38, clause (4), delay is caused to allow identity to be established or status proved, the minute shall expressly state whether the delay is caused by the absence of witnesses, or whether witnesses produced do not establish identity or prove status to the satisfaction of the registering officer. In the latter case the names of witnesses shall be entered, and the registering officer's reasons for not being satisfied with their evidence of identity

Book No. VIII.—*Fee Book*.—Forms as in Appendix No. VII.

40. Fees shall be credited in the Fee Book immediately on realization, the nature of the fee credited being distinctly shown.

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<sup>1</sup> Added by Notification No. 218, dated the 23rd July, 1891. *Hyderabad Residency Orders*, 1891, Pt. I, p. 144.

<sup>2</sup> Substituted by Notification No 124, dated the 23rd May, 1902. *Hyderabad Residency Orders*, 1902, Pt. I, p. 143.

41. Fees leviable for the registration and copying of documents are payable on demand made by the registering officer. Such demand should be made as soon as the registering officer accepts the document for registration, *vide* rule 112, or in the case of powers of attorney for authentication.

42. Demand for fees and travelling allowance for visits or the issue of commission, also for searches, and for granting copies of reasons, entries and documents, should be made when the registering officer has decided to comply with the application.

43. Fees for memoranda and copies prepared by Sub-Registrars under sections 64 and 65 shall be demanded at the same time as the fees for the registration of the document to which the memorandum refers. The same rule applies to memoranda and copies prepared by Registrars under section 66. <sup>1</sup> Fees levied for memoranda and copies under sections 64—66 cover postal charges.

44. To ascertain the amount of copying fees due, the following method may be adopted:—

When a document is so long as to make it inconvenient to count each word, count the number of words in five lines taken at random, divide the number thus found by 5, multiply the average number of words in each line thus ascertained by the number of lines in the document; divide by 100 to find the number of folios. A fraction of a folio is counted as a whole folio.

45. Entries in Fee Books are to be totalled <sup>2</sup> \* on each occasion of a remittance to the treasury. <sup>3</sup>[In offices where daily remittances are not made entries are to be totalled daily as well as when remittances are made]; and the registering officer, after comparing the cash in hand with the amount of collections, shall initial the total. The books shall also be totalled monthly, *i.e.*, on date of closing the month's accounts.

46. A copy of the fee table in vernacular and English shall be affixed to a notice board and exposed to public view, in a conspicuous place in all registering offices during office hours.

47. Fees are not leviable for copies of reasons for refusal to register granted by a Sub-Registrar, but for copies given by Registrars copying fees should be levied. If such reasons are in the vernacular, or if being in English the Registrar's mohurrir can copy them, copying fees at the ordinary rates will be levied. If they are in English and the Registrar's mohurrir cannot copy them, they will be copied under the arrangements in force for granting copies of decrees of courts.

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<sup>1</sup> Omitted by Notification No. 43, dated the 12th March, 1887. *Hyderabad Residency Orders*, 1887, Pt. I, p. 30.

<sup>2</sup> Omitted by Notification No. 380, dated the 22nd December, 1890. *Hyderabad Residency Orders*, 1891, Pt. I, p. 3.

<sup>3</sup> Inserted by ditto.

48. Refunds of fees are claimable under the following circumstances, provided that claim for refund is lodged within three months of refund becoming claimable—

- (a) Fees charged in excess of the authorised scale.
- (b) Fees paid for the registration and copying of documents, registration of which has been finally refused.
- (c) Fees paid for the registration, etc., of documents of which the registration is invalid under sections 28 and 29 of the Act.
- (d) Fees paid for a visit (sections 31, 33, and 38) or issue of a commission (sections 33 and 38) if such visit is not paid, or commission issued.
- (e) Fines paid and subsequently remitted by Inspector-General of Registration under section 70 of the Act.

49. A registering officer may refund fees he has collected under clauses (a), (b), (c) above without reference to higher authority, if the mistake he made in collecting them is discovered before the fees have been remitted to the treasury. Any amount so refunded will be deducted from the total amount of the day's collection entered in the Fee Book, particulars being given.

50. If the mistake is not discovered until after the fees have been remitted to the treasury, the party interested should be informed that a refund of the fees paid by him (or a portion of them as the case may be) is claimable. On the receipt of his application, the Sub-Registrar should submit it to the Registrar with his remarks. The Registrar will check the claim and if it appears allowable, will remit from his permanent advance the amount claimed to the Sub-Registrar for delivery to the claimant. The Registrar will recover the amount by submission to the Inspector-General of a "bill for refund" [in form prescribed in Civil Account Code] supported by the receipt of the claimant.

Book No. IX.—*Cash Account Book*.—Form as in Appendix IX.

51. In this book shall be entered all transactions which do not fall to be entered in the Fee Book, *e.g.*, receipt and disbursement of pay of establishment, refunds of fees received from Registrar, process fees, etc. The book should be balanced at the close of each day on which there have been any entries, and should be initialled by registering officer.

Book No. X.—*Book of Receipt Forms*.—Form given in Appendix No. X.

52. The receipt shall be given to the presenter of a document as soon as the registering officer takes the deed out of the presenter's possession. This would ordinarily be when he accepts the document for registration.

<sup>1</sup> Substituted by Notification No. 151, dated the 26th April, 1895. *Hyderabad Residency Orders*, 1895, Pt. I, p. 103.

53. The receipt shall be produced by the presenter of the document when he comes to receive it after registration, and the receipt shall then be attached to the foil in the receipt book. If the person, who presented the document is unable to produce the receipt, the document may be returned to him on his giving a written receipt for it, which should be attached to the foil of the lost receipt.

54. The document may not be returned to any one but the person who presented it unless the person claiming to receive the document produces the original receipt with the presenter's endorsement thereon authorising him to receive it.

55. When returning the document, the registering officer shall satisfy himself by enquiry from the person receiving it that he has paid no more than the amount of fee entered in the receipt.

56. Registrars shall give a receipt for each will contained in a sealed cover which may be deposited with them, <sup>1</sup>[and shall at the same time give the depositor notice in writing that no steps will be taken by Government to ascertain when the testator dies or to communicate after his death with the beneficiaries under the will].

57. Receipts shall also be given for all applications which a registering officer decides to comply with and on which he levies fees, and the applicant shall return the receipt when his application is complied with.

#### Book No. XI.—*File Book of Applications.*

58. In this book will be filed all applications complied with.

59. Applications complied with, before being filed in this book, shall be endorsed with a serial number, the date of receipt, date and mode of compliance, and the amount of fees levied.

#### PART II.—INDEXES.

60. <sup>2</sup>[Indexes Nos. I and IV shall be in the form of 'Appendix No. XI., Index No. II in Registrars' offices shall be in the form of Appendix XII-A; in Sub-Registrars' offices in that of XII-B. The form of Index No. III is given in Appendix XIII.]

61. Indexes <sup>3</sup>[I, III and IV] shall be prepared alphabetically, one or more sheets being allotted to each letter of the alphabet, and entries

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<sup>1</sup> Added by Notification No. 224, dated the 9th July, 1898. *Hyderabad Residency Orders*, 1898, Pt. I, p. 231.

<sup>2</sup> Substituted by Notification No. 36, dated the 22nd February, 1889. *Hyderabad Residency Orders*, 1889, Supplement p. 17.

<sup>3</sup> Inserted by ditto.

<sup>1</sup>[in all indexes] shall be made immediately a document has been copied or a memorandum or a copy of a certificate filed.

62. The first letter of the name of a person if a native, and of the surname if a European or Eurasian, shall be the guide to the letter under which the entry is to be made.

63. In the case of certified copies of decrees or orders of courts, the names of plaintiffs and defendants, appellants and respondents, petitioners and opposite parties shall be the names recorded.

64. In the case of copies of certificates under the Land Improvement Act, 1871, Government ("Sirkar") will be indexed as executant, and the person to whom the certificate is granted as claimant.

65. In the case of copies of certificates of sale of immoveable property under section 316, Civil Procedure Code, filed under section 89 of the Registration Act, or registered, both Government ("Sirkar") and the judgment-debtor will be indexed as executants, and the purchaser as claimant.

66. When agreements to lease entered into with Collectors under section 323, Civil Procedure Code, are registered, the lessee will be indexed as executant, and both Government ("Sirkar") and the judgment-debtor as claimants.

67. If a document be executed by an authorized agent for the principal or by a guardian for a minor, the names both of agent and principal, guardian and minor, shall be indexed thus—

A. B. as agent or gaurdian for C. D.

C. D. by his agent or guardian A. B.

68. The same rule holds with regard to documents executed by authorized agents for companies, both the name of the agent and the company being indexed.

69. When there are several executants, the name of each shall be indexed thus—

Narayan Rao and three others.

70. The index entries of copies, memoranda, or certificates filed in Supplementary Book No. I shall be made in red ink.

<sup>2</sup>71. <sup>3</sup>[Blank] index forms will be supplied in loose sheets. <sup>4</sup>[Those for Indexes I, III, and IV] as they are filled in, shall be tacked together in alphabetical order, and shall be bound up at the end of each calendar

<sup>1</sup> Added by Notification No. 150, dated the 19th May, 1891. *Hyderabad Residency Orders*, 1891, Pt. I, p. 111.

<sup>2</sup> The original rule 71 was omitted, and the original rules 72 and 73 were re-numbered, as here, 71 and 72 by Notification No. 36, dated the 22nd February, 1889. *Hyderabad Residency Orders*, 1889, Supplement p. 17.

<sup>3</sup> Inserted by ditto.

<sup>4</sup> Substituted by ditto.

year in book form. They shall be permanently retained in the office to the books of which they refer.

72. Separate sheets of indexes shall not be used for each month, but entries shall be made in each sheet until it is filled in or until the end of the year.

73. <sup>1</sup>[A current index, No. II-A, will be prepared in Registrars' offices, the entries being made consecutively as documents are registered during the year. At the end of the year the entries will be copied out in alphabetical order according to the names of the villages or towns. This will be the permanent index.

Index No. II-B for offices of Sub-Registrars will be for ten years' entries. In this index each village in a sub-district will have an index of its own, sub-divided into three parts according to the nature of the property affected by the documents registered—

1. Survey fields.
2. Houses and buildings.
3. Other property (such as timber, hereditary allowances, inam land, etc.).

Villages will be entered in alphabetical order.

In each sub-registry office Index No. II-B will be bound up in volumes of a convenient size, each containing ordinarily not more than 400 pages, each volume being labelled thus—

INDEX No. II-B.	
	<i>Sub-District.</i>
	<i>District.</i>
From the years 1891 to 1900.	
Villages	to

A document which refers to property of more than one description will be indexed in each of the divisions under which any of the property comes.]

74. <sup>2</sup>[Copies of Indexes I and III shall be sent by each Sub-Registrar to the Registrar of his district twice a year. viz., on 1st January and 1st July.

<sup>1</sup> Inserted by Notification No. 36, dated the 22nd February 1889. *Hyderabad Residency Orders*, 1889, Supplement p. 17.

<sup>2</sup> Substituted by ditto.

A copy of Index No. II-B will be sent at the end of the ten years to which it refers.]

<sup>1</sup>[The copy of the index will be written up as entries are made in the original index.]

75. On receipt of the copies of Sub-Registrars' Indexes <sup>2</sup>[Nos. I and III] the Registrar shall cause the entries to be checked, and all errors and omissions to be rectified. At the close of the year the copies shall be bound up in volumes of convenient size, the index <sup>3</sup>[of each sub-district being] bound separately. If the copies of indexes of any sub-district for a year are insufficient to make up a volume of convenient size, they should be retained unbound until other years' indexes are received, when two or more years' indexes of the same sub-district should be bound into one volume.

76. <sup>4</sup>[Each index book before being placed in the Registrar's record-room or almirah shall have a label affixed to it showing—

(a) Index No.

(b) Year or years to which the entries refer.

(c) Name of sub-district.<sup>5</sup>

(d) (In the case of Index No. II-B.) The name of the first and last villages contained in the index.]

### PART III.—CUSTODY AND DESTRUCTION OF RECORDS.

77. Almirahs or suitable boxes fitted with reliable locks shall be provided in each office for the safe custody of office books, records and seal, which shall be kept therein. The key and the office seal shall be in the custody of the registering officer, and not of the mohurrir.

78. The office of every Registrar shall be provided with an iron fire-proof safe, the key of which shall always remain with the Registrar. The safe shall never be opened except in the Registrar's presence, and he may not leave it until it is securely closed. The safe shall be kept in the record-room of the District Judge and is available for the custody of wills under the Indian Succession Act.

79. In forwarding his monthly returns, the Registrar shall certify that he has opened the safe since the submission of last returns, and has found its contents correct and in good order.

<sup>1</sup> Added by Notification No 380, dated the 22nd December, 1890. *Hyderabad Residency Orders*, 1891, Pt I, p 3.

<sup>2</sup> Inserted by Notification No. 36, dated the 22nd February, 1889. *Hyderabad Residency Orders*, 1889, Supplement p. 17

<sup>3</sup> See Notification No 299, dated the 2nd October, 1893. *Hyderabad Residency Orders*, 1893, Pt. I, p. 194.

<sup>4</sup> Substituted by the Notification quoted in footnote 2.



80. If a court directs the production of any book or document in the custody of a registering officer, it shall be sent in charge of a registration official, and application made to the court for his expenses.

81. Every Registrar's office shall be a central office of records for the district. In the month of January of each year, Sub-Registrars shall transfer to the Registrar's office books Nos. 1 (with Supplementary Book No. I), 2, 3, 4, <sup>1</sup>[and 6] when the last entries made in them bear dates not later than five years before, *e.g.*, on 1st January, 1882, books, the last entries in which are not later than 31st December, 1876, will be sent to the Registrar.

82. The books and registers transferred under the above rule and their indexes shall be preserved in perpetuity by Registrars: this rule applies to these books in Registrars' offices and to Book No. V.

83. Books <sup>1</sup>[VII], VIII, IX, X and XI, when filled in and bearing a last date five years back, may be destroyed in the month of January under the orders of Registrars, but not otherwise.

84.       2\*     \*     \*     \*     \*     \*     \*

85. When a Sub-Registrar purposes to destroy records, he shall submit a list of the records to be destroyed to his Registrar, who, after scrutiny, shall pass order thereon, distinctly specifying any documents in the list which may not be destroyed, and return it to the Sub-Registrar. The Sub-Registrar shall carry out the orders of the Registrar, and certify that he has done so at foot of the list, which he shall then file in his office.

86. When an applicant fails to appear to receive copy of a document he has applied for, the copy should be kept two months from date on which it was ready for delivery. A service bearing notice should then be sent to applicant warning him that the copy will be destroyed, if not claimed within one month from date of notice. If he does not appear to claim it within that time or pay postage to have it sent to him, it shall be destroyed.

87. When a document has been on the unclaimed list for 22 months notice is to be given, by service bearing letter, to the person who presented it and to the person who executed it (if it was not presented by the executant) in the form of Appendix No. XIV. The date on which and the name of person to whom notice was sent should be endorsed on the document.

88. If the document be not claimed and custody fees paid within two months from date of the notice, a Sub-Registrar shall report to his

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<sup>1</sup> See Notification No. 139, dated the 17th June, 1889. *Hyderabad Residency Orders*, 1889, Pt. I, p. 121.

<sup>2</sup> Cancelled by Notification No. 50, dated the 22nd February, 1897. *Hyderabad Residency Orders*, 1897, Pt. I, p. 39.

Registrar for orders; the Registrar shall exercise his discretion as to the destruction or further retention of the document. If the document be in the Registrar's office, he shall proceed in the same way. In no case, however, shall a document be kept on the unclaimed list longer than 30 months.

89. When the destruction of an unclaimed document has been ordered, a note shall be entered in the column of remarks of the book in which it is registered or at foot of reasons for refusal in Book No. II. if it had been refused registration. The note shall be in the following form:—

*The document, of which this is copy, was destroyed before me on this day of 18 , it having been in the unclaimed list of this office from the day of 18 , and due notice of intended destruction under Rule 87 having been sent to , son of and , son of , on the day of 18 .*

*Signature and official title of Registering Officer.*

#### PART IV.—LANGUAGES COMMONLY USED AND TERRITORIAL DIVISIONS RECOGNIZED.

90. In offices<sup>1</sup> of Sub-Registrars the language deemed to be commonly used shall be Marathi.

91. In offices<sup>1</sup> of Registrars both English and Marathi shall be deemed to be commonly used.

92. The territorial divisions<sup>1</sup> to be recognized under section 21 of the Act are the village or township, the taluqa and the district.

#### PART V.—FINES.

93. Fines under sections 24 and 34 of the Act shall be regulated by the following scale:—

- (a) Where the delay does not exceed one month,  $2\frac{1}{2}$  times the proper registration fee.

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<sup>1</sup> The languages deemed to be commonly used in these offices are—

- (a) in Secunderabad (and therefore Aurangabad), English and Urdu. See Notification No. 6, dated the 28th January, 1884. *Hyderabad Residency Orders*, 1884, Pt. I, p. 14.  
 (b) the Residency Bazaars, English and Urdu. See Notification No. 4, dated the 4th March, 1891. *Hyderabad Residency Orders*, 1891, Pt. I, p. 44.  
 (c) the Railway lands, English. See Notification No. 32, dated the 23rd August, 1894. *Hyderabad Residency Orders*, 1894, Pt. I, p. 245.

- (b) Where the delay exceeds one month, but is not more than two months, 5 times the amount of the proper registration fee.
- (c) Where the delay exceeds two months, but is not more than three months,  $7\frac{1}{2}$  times the amount of the proper registration fee.
- (d) Where the delay exceeds three months, 10 times the amount of the proper registration fee.

Fines do not include, but are in addition to, ordinary registration fees.

NOTE.—By clause 2, section 3, General Clauses Act, 1868,<sup>1</sup> the date of execution of a document is excluded from the period of delay. So also is the date of making a decree or order of a Court and the date on which a decree or order becomes final.

94. Applications for remission of fines under section 70 may be lodged with registering officers. If an application be so lodged, it shall be at once forwarded to the Registrar, who shall submit it with his remarks for the orders of Inspector-General.

#### PART VI.—INSPECTIONS AND SEARCHES.

95. For the sake of convenience, the provisions of the law regarding the books, etc., open to search and inspection are here given:—

*Book No. I and Indexes I and II*—Are open to inspections by any person applying, and copies of entries in the book must be given to such persons.

*Book No. II*—Is open to inspection by any person applying, and copies of entries in the book must be given to such person.

*Book No. III and Index No. III*.—Inspection not allowed. Search may be made only by the registering officer. Copies of entries in book and index may be given only to persons executing the documents to which such entries relate, or to their agents during the life-time of executants. After death of executants, copies of entries may be given to any person applying for the same.

*Book No. IV and Index No. IV*.—Inspection not allowed. Search may be made only by the registering officer. Copies of entries in book and index may be given only to persons executing or claiming under the documents to which such entries refer or to their agents or representatives.

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<sup>1</sup> See now section 9 of the General Clauses Act, 1897 (X of 1897), as applied to the Administered Areas, *supra*, p. 27.

*Book No. I.*—Inspection not allowed. Copies may not be given to any one.

96. Every application for a copy, search or inspection, shall be made in writing. Applications for copies must bear a one anna court fee stamp, or they shall be rejected.<sup>1</sup> \* + ,

<sup>2</sup>[96-A. On the written application of a Revenue Officer not below the rank of Tahsildar made in his official capacity, a Sub-Registrar shall furnish him with any information required in regard to immoveable property registered in Book No. I.]

97. All inspections shall be made in the presence of the registering officer.

98. A person inspecting shall not be allowed to have access to any writing materials while inspecting: he may not make any copy or memorandum. If he requires it, the registering officer shall give him, free of charge, a note showing the serial number and date of registration of any document of which he wishes to apply for a copy.

99. No one but the registering officer or a mohurir attached to his office shall be allowed to copy into or from the books or indexes.

100. An applicant for a copy should be informed of the probable date on which the copy will be ready for delivery.

101. If an application is not complied with, the reasons for non-compliance shall be endorsed on the application, which should be returned to the applicant [*vide* rule 38 (8)].

102. Application for copy of an entry in a book which, under rule 81 has been transferred to the Registrar's office, may either be sent to the Registrar direct, or may be lodged with the Sub-Registrar of the office from which the book was transferred. In the latter case, the Sub-Registrar shall require the index particulars to be given, so far as applicant can give them. These shall be noted on the application by the Sub-Registrar, who shall also collect search fees, noting the amount on the application, and crediting them in the Fee Book. He shall take charge of the stamp paper tendered for the copy and shall forward it with the application to the Registrar, making no charge for postage. The Registrar shall dispose of the application under rule 59.

103. When the copy is ready, it shall be sent to the Sub-Registrar, with instructions to collect the amount of copying fees specified, and to hand the copy to the applicant.

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<sup>1</sup> A passage added here by Notification No. 228, dated the 1st August, 1893, was cancelled by Notification No. 371, dated the 10th December, 1901. *Hyderabad Residency Orders*, 1901, Pt. I, p. 376.

<sup>2</sup> Added by Notification No. 371 cited in footnote 1.

104. Applications for copies of reasons for refusal to register, and copies when given, shall be stamped under the Court Fees Act. These copies should be given immediately on receipt of the application.

105. When an application lodged under section 24 or 34 of the Act is received back from the Registrar, it shall be filed in the file book of applications, and the purport of the Registrar's order shall be communicated without unnecessary delay to the applicant.

106. Every copy granted by a registering officer shall be certified to be a true copy under the signature and seal of the registering officer.

107. In order that the Courts, when a copy of a registered document is produced before them, may know whether the original is available on payment of custody fees by the presenter, it is directed that when a copy of a document, original of which is lying unclaimed in a registration office, is taken under section 57 of the Act, an endorsement in the following terms shall be made on such copy:—

*The original of this document, which was presented by \_\_\_\_\_, son of \_\_\_\_\_, on the \_\_\_\_\_ 18\_\_\_\_ is lying unclaimed in the office of the \_\_\_\_\_ Registrar, at \_\_\_\_\_, and is available on payment of custody fees by the said \_\_\_\_\_, son of \_\_\_\_\_.*

108. When under section '[46] of the Indian Stamp Act, '[1899], a registering officer is called upon to give an authenticated copy of an impounded document, he shall authenticate such copy by certificate in the following form. Such copies come under article '[24], schedule I, of the Indian Stamp Act, '[1899]:—

*"Certified that this is a true copy of the documents purporting to be executed on \_\_\_\_\_ by \_\_\_\_\_*

*of \_\_\_\_\_, son of \_\_\_\_\_, in favour of \_\_\_\_\_, son of \_\_\_\_\_, of \_\_\_\_\_, impounded in order to be sent to the Collector of \_\_\_\_\_ district on the \_\_\_\_\_."*

109. When a copy is delivered it shall be endorsed with the following particulars:—

Copy applied for on \_\_\_\_\_

Do. ready for delivery on \_\_\_\_\_

Do. delivered on \_\_\_\_\_

Search Fee, Rs. \_\_\_\_\_

Copying Fee, Rs. \_\_\_\_\_

*Initials of Registering Officer.*

PART VII.—PROCEDURE—FROM PRESENTATION TO ADMISSION TO REGISTRATION.

110. On presentation of a document, a registering officer shall forthwith make on it an endorsement in the form of Appendix XV. A registering officer is bound to receive every document brought to his office for registration <sup>1</sup>[within the prescribed hours of business] and to make on such documents the above endorsement. He must do this even though he proceeds no further.

111. After making the presentation endorsement, the registering officer shall proceed as follows:—

- (a) Satisfy himself that the document is duly stamped.
- (b) That under sections 28 and 29 it has been presented in the proper office.
- (c) That it is not time-barred under sections 23—26 of the Act.
- (d) That it does not contain any interlineation, blank, erasure or alteration unattested by the initials of the executing parties (section 20).
- (e) That it is written in a language deemed to be commonly used, or if not, that it is accompanied by a true translation, and also by a true copy (section 19).
- (f) That it contains a description of any immoveable property it relates to, sufficient to identify the same, and that the territorial divisions recognized under rule 92 are specified (section 21).
- (g) That it purports to be presented by a competent person (sections 32 and 40).
- (h) That if it contains a map or plan a true copy of such map or plan accompanies it [section 21 (c)].
- (i) That in the case of a copy of a decree or order of a court, it is properly certified.

<sup>2</sup>[(j) That as required by section 27 of the Indian Stamp Act, <sup>3</sup>[1899], the consideration (if any) is set forth in the deed.]

112. If these preliminary conditions are found to be fulfilled, the document shall be accepted for registration and fees demanded. If not paid, registration shall be refused. If paid, the amount of fees shall be endorsed on the document, and shall be entered in Fee Book and Receipt Book, each kind of fee being separately entered.

<sup>1</sup> Substituted by Notification No. 233, dated the 19th August, 1891 *Hyderabad Residency Orders*, 1891, Pt. I, p. 161.

<sup>2</sup> Added by Notification No. 257, dated the 18th December, 1884 *Hyderabad Residency Orders*, 1885, Pt. I, p. 4.

<sup>3</sup> Substituted by Notification No. 124, dated the 23rd May, 1902. *Hyderabad Residency Orders*, 1902, Pt. I, p. 143.

113. If the registering officer considers that the document is not properly stamped [rule 111 (a)] under the Indian Stamp Act, <sup>1</sup>[1899], he shall suspend registration proceedings, impound the document, and forward it to the Collector of Stamp Duty, endorsing on it the date of its being impounded—*vide* rule No. 38 (5).

<sup>1</sup>Provided that if the executant or executants are present, he shall before forwarding the document to the Collector follow the procedure for the admission of the document to registration laid down in rules 125—129 in so far as they are applicable, no fees, however, being then taken. The fees shall not be levied and the document shall not be copied or certified as registered under rule 133 until it has been returned to the registering officer with the Collector's certificate that the proper stamp duty has been paid thereon.

113-A. If the executant of a deed who is in doubt about the proper stamp consults a registering officer before formal presentation, the required information should be given to him without impounding the deed.

114. If the document is returned by the Collector direct to the registering officer, a notice of its receipt should be sent by service bearing letter to the presenter, and on his appearance, or on that of the executing parties, proceedings shall be resumed at the stage at which they were suspended, due regard being had to section 34.

115. If a document dutiable under the Court Fees Act, 1870, be considered insufficiently stamped, it shall be refused registration, procedure being as prescribed in rule 24.

116. If the document has been presented in the wrong office, rule 111 (b), the registering officer shall endorse it in the form of Appendix XVI and return it to the presenter.

117. If the document is time-barred under sections 23—26 [rule 111 (c)] and no application for extension of time has been lodged with the registering officer, registration shall be refused and procedure followed as in rule 24.

118. If such an application has been lodged, proceedings shall be suspended, pending receipt of the Registrar's orders on the application.

119. If the document is defective in the points mentioned in rule 111, clauses (d), (f), (h), <sup>2</sup>[(i) or (j)], procedure shall be according to rule 122.

120. If the document is written in a language not commonly used, or is not accompanied by a translation or true copy, rule 111 (e) and (h), procedure shall be according to rule 122. But if the document is again

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<sup>1</sup> See Notification No. 124, dated the 23rd May, 1902. *Hyderabad Residency Orders*, 1902, Pt. I, p. 143.

<sup>2</sup> Substituted by Notification No. 257, dated the 15th December, 1884. *Hyderabad Residency Orders*, 1885, Pt. I, p. 4.

presented without a translation or true copy, registration shall be refused and proceedings follow as in rule 24.

121. If the person by whom it purports to be presented is not competent to present [rule 11 (g)], registration shall be refused and rule 24 be followed.

122. An incomplete document may, in cases specially provided for by these rules, be returned for amendment. Prior to such return, it shall be endorsed in Form XVI of the appendix, provided that if the executing parties are present and offer to make the required amendment in the office, the document may be simply handed back to them for the purpose.

123. When documents are returned for amendment under the next preceding rule, or are impounded, they shall, on re-presentation, if duly amended or certified to be duly stamped, be accepted for registration, and fees be demanded.

124. When the registering officer has satisfied himself that as to all these preliminary points the document fulfils the conditions necessary for registration, and has levied fees, he shall continue proceedings as follows :—

If the person who presents the document is the executant, the registering officer shall satisfy himself as to his identity (*vide* rule 125), and shall then examine him as to admission of execution and receipt of consideration;

If the presenter is not the executant, and the executing parties are not present, the registering officer shall enquire from the presenter whether he will bring the executing parties and witnesses, or whether he wishes them to be summoned under section 36, and shall act accordingly;

If it appears probable that the period allowed by section 34 will expire before the executants appear, the registering officer should advise the presenter to apply to the Registrar for a direction under the proviso of section 34 for the extension of the period for appearance. If the application be lodged with a Sub-Registrar, he should forward it to the Registrar;

If the period allowed by section 34 has expired before the executing parties have appeared, and no application for extension of time has been lodged with the registering officer, he shall refuse registration, but if such an application has been lodged, he shall suspend proceedings pending receipt of the Registrar's orders on the application.

125. Registering officers shall personally, and not through their mohurrirs, enquire into the identity of persons appearing before them in connection with documents presented for registration or the authenti-



cation of powers of attorney under section 33. If the executing parties are not personally known to the registering officer, he shall satisfy himself of their identity by the evidence of respectable persons. Care should be taken that menial servants attached to offices, petition-writers, etc., are not habitually employed to establish identity.

Unless the registering officer is satisfied that such persons can identify the executing parties in consequence of an acquaintance of some standing, he should require further corroborative evidence

<sup>1</sup>[125-A. The registering officer shall also require every executant, who is not personally known to himself, to affix in his presence an impression of his left thumb both to the document and to a register in the form given in Appendix No. XXII.

If any executant who is required under this rule to make a thumb impression refuses to comply, the registering officer will endorse a note of such refusal upon the document as in the case of a refusal to sign.

This rule may be relaxed in the case of European ladies and gentlemen and other persons of position regarding whose identification there can be no doubt or room for suspicion.]

126. The oath should be administered under section 63 of the Act only when the registering officer doubts the truth of statements made before him—*vide* rule 38 (3).

127. If the executing parties admit execution, they shall be required to state the amount of consideration received by them and, as provided in form of second endorsement, the amount, specifying whether it is in full or in part, shall be entered in the endorsement.

128. Before registering officers record in endorsement No. II admission of receipt of consideration, they should satisfy themselves by examination of the obligor that the admission is true. If the inquiry results in doubts as to payment having been actually made, although admission of receipt of consideration be acknowledged, a note to the following effect will be added to endorsement II:—

NOTE.—Although receipt of consideration is admitted by the obligor, the registering officer, after cross-examination, is not satisfied that payment has actually been made.

129. Admission of execution having been made by all executing parties and their identity established, the second endorsement in one of the forms of Appendix No. XVII shall be recorded, and the document "*admitted to registration.*"

<sup>2</sup>[NOTE.—If a deed is executed by more persons than one and the appearance of executing parties is not simultaneous, a separate second endorsement must be recorded as each party admits execution and is identified. The executants must not be detained until all are present at one time.]

<sup>1</sup> Added by Notification No. 17, dated the 20th January, 1897. *Hyderabad Residency Orders*, 1897, Pt. I, p. 26.

<sup>2</sup> Added by Notification No. 414, dated the 27th November, 1894. *Hyderabad Residency Orders*, 1894, Pt. I, p. 325.

<sup>1</sup>[129-A. In the case of will or authority to adopt presented after the death of the testator (or donor), the second endorsement shall be in the form of Appendix XVII-A.]

*From admission to registration to completion of registration.*

130. On a document being admitted to registration, it shall be copied without unnecessary delay in the order of its admission to registration.

131. Errors, erasures, interlineations, etc., shall be copied into the book exactly as they appear in the original document. In the case of mis-spellings or erasures or additions of a single word, a mark thus × shall be made in ink over the defect, with a similar mark in the column of remarks and the word “*sic*” with the initials of the registering officer. In the case of additions and erasures of more than one word, and of interlineations, a mark thus × shall be placed at the beginning and end of the addition, erasure or interlineation, with two corresponding marks and the word addition, erasure or interlineation, attested by the initials of the registering officer shall be entered in the column of remarks opposite the defect.

132. If an error is made in copying, and an erasure, addition, correction or interlineation becomes necessary, the defect shall be initialled by the registering officer, and the words “*error in copying*” be entered opposite the mistake in the column of remarks. In no case may erasure by pen-knife be resorted to.

133. The document having been copied the registering officer shall then record on it the final certificate of registration (Appendix No. XVIII), which, with previous endorsements, should be at once copied into the margin of the book, after which the registering officer shall authenticate the copy by making the following entry at foot of it and signing the entry:—“Compared with original and certified to be a true copy.”

134. All endorsements on documents shall be made in the registering officer's own handwriting.

*After registration.*

135. Memoranda issued under sections 64, 65 and 66 shall be in form of Appendix No. XIX.

136. When a document has been registered it shall be returned without unnecessary delay to the presenter or to the person (if any) nominated in writing by him to receive it.

137. If the presenter deposit at the office a cover sufficiently stamped to include post office registration fees and addressed to himself, the

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<sup>1</sup>Added by Notification No. 257, dated the 18th December, 1884. *Hyderabad Residency Orders*, 1885, Pt. I, p. 4.

registering officer shall return the registered document in such cover, filing the post office receipt book in place of the registration receipt.

138. Should a document remain unclaimed for one month\* from the date on which certificate of registration or refusal to register was recorded on it, it shall be entered on the list of unclaimed documents, Appendix No. XX. This list shall be conspicuously exposed to public view in each office. A document thus entered on the unclaimed list may not be returned until a fee for its custody, at the rate prescribed in the fee table, shall be paid. For instructions as to eventual destruction of unclaimed documents, *vide* rules 87 and 88.

## PART VIII.—MISCELLANEOUS.

### *Appeals.*

139. A Registrar dealing with an appeal against an order of refusal to register under section 72, or with an application under section 73, shall draw up a proceeding and procedure shall be guided by the provisions of the Civil Procedure Code, so far as they are applicable. When the appeal or application has been disposed of, the Registrar shall, without delay, send a copy of the final order to the Sub-Registrar concerned, and shall forward the proceedings for the perusal of the Inspector-General.

### *Despatch of documents.*

140. Except in the case of documents impounded, no original document is ever to be sent out of a registering office for purposes of reference, save under specific order of a superior officer, and if so sent or if it has been impounded and if it requires transmission by post, it shall be sent in an official cover duly sealed with wax and registered in the post office.

### *Appointments.*

141. Appointments made under sections 11 and 12 will be reported monthly to the Inspector-General in form given in Appendix No. XXI, and these, as well as appointments made under section 10, shall be reported to the Local Administration half-yearly by the Inspector-General.

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\* NOTE.—One clear month is intended.

*Example.*—A document registered or refused registration on 15th September should be entered on the unclaimed list on the evening of 15th October, or if the 15th October should be a Sunday or authorized holiday, on the evening of the next day when the office is open.

*Holidays.*

142. The holidays to be observed in registering offices shall be those sanctioned for public offices by the Resident at Hyderabad, and a list of such holidays shall be exposed in a conspicuous place in the office. Where a purely judicial officer may have a charge of a registering office *ex-officio*, he must keep that office open, although his court may be closed for the summer vacation.

*Hours of business.*

143. <sup>1</sup>[Registration offices shall ordinarily be open for the presentation of documents from 10 A.M. to 4 P.M., but the District Registrar may, in the case of offices situated at the head-quarters of the district or at tahsil stations, direct that during the hot weather the hours of business of such offices shall be the same as those observed in the Deputy Commissioner's and Tahsildar's offices.]

*Supply of books and forms.*

144. Books and forms will be supplied from the Inspector-General's office on indent submitted by Registrars. Indents will be for the official year, commencing 1st April, and will be submitted on the 1st January preceding. Each Registrar will keep in his office the supply of books and forms annually received, and will distribute them to his subordinates as required.

*Registration by Registrars.*

145. Except for good reasons, to be recorded in the minute book, a Registrar shall accept for registration all documents presented to him, and shall not refer persons to a Sub-Registrar.

146. If it be necessary under section 66 to send a memorandum in the case of an English document registered by a Registrar, such memorandum shall be sent in Marathi to the Sub-Registrar concerned.

*Space for endorsements.*

147. Documents presented for registration should have reserved for endorsements a blank space 6 inches deep at bottom of the reverse of the stamp or plain paper on which it is written. If, in any case, the blank

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<sup>1</sup> Substituted by Notification No 233, dated the 19th August, 1891. *Hyderabad Residency Orders*, 1891, Pt. I, p. 161.

space reserved is not sufficient, a piece of strong blank paper should be affixed by the presenter to the document, and the registering officer should take care that a portion of the certificates or endorsements is written partly on the document and partly on the attached piece. He shall also write his initials across the joint on both sides of the paper.

148. When a document is written on more sheets than one, the registering officer shall affix his seal and initials to each sheet on presentation of the document.

*Enforcing the appearance of persons.*

149. If a registering officer be himself a Revenue Officer or a Civil Court he may himself take the necessary measures to enforce the appearance of parties under sections 36—39. If he be neither, he shall apply to the nearest Revenue Officer or Civil Court.

150. <sup>1</sup>[Witness batta] shall be levied by registering officers according to the rules in force for Civil Courts.

*Visit.*

151. A registering officer may not leave his sub-district to pay a visit under section 31, 33, or 38 without the previous sanction of the Registrar, which should be given only in urgent cases.

*Commission.*

152. A commission issued under sections 33 and 38 shall run thus:—  
A Commission is hereby issued under section \_\_\_\_\_ of the Indian  
Registration Act, 1877, to \_\_\_\_\_ for the purpose of in-  
quiring whether

2[The document in regard to which a commission is issued must be made over to the Commissioner and by him be taken to the person examined. If such person admits execution, an endorsement in the form of Appendix XVII (f) shall be entered on the document and signed by the person examined and by the Commissioner. The Commissioner shall then return the document to the registering officer who issued the commission, and the registering officer will proceed under rule 133. If the person examined denies execution, the Commissioner shall report accordingly to the registering officer, who will act under rule 24.]

<sup>1</sup> Substituted by Notification No. 55, dated the 19th March, 1884. *Hyderabad Residency Orders*, 1884, Pt. I, p. 45.

\* Added by Notification No. 150, dated the 19th May, 1891. *Hyderabad Resident's Orders*, 1891, Pt. I, p. 111.

*Registration of documents in which Registering Officer is interested.*

153. It is advisable that Sub-Registrars should avoid registering documents in which they are interested. Such documents can be registered by Registrars without extra fee; if a Sub-Registrar registers such a document, he must at once report the fact to the Registrars.

*Certified copies of decrees or orders of Courts.*

154. In the case of certified copies of decrees or orders of Courts only the presentation and final certificates of registration shall be recorded.

APPENDIX No. I.

BOOK No. I.

*Compulsory or Optional.*

Serial No. of 18 .

Copy of endorsements and certificates, and stamp and fee entries.	Copy of document.	REMARKS.
	<p>N.B.—Books Nos III and IT will be in the same form as No. I, the only distinguishing optional from compulsory registration being omitted.</p>	
	<p>Compared with original and certified to be a true copy</p>	
	<p>Seal.</p>	
	<p>Signature of Registering Officer.</p>	
<p>Stamp value . . .</p> <p><i>Fees paid.</i></p> <p>Registration fee . . .</p> <p>Copying fee . . .</p> <p>Memorandum . . .</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>TOTAL .</p>	<p>Rs. A. P.</p>	

APPENDIX No. II.

BOOK No. II.—*Record of reasons for refusal to register.*

Serial No. . . . . of 18 . . . . . Value of Stamps Rs.

Date of document. . . . . Reasons for refusal.

Date and hour of presentation . . . . .  
Names and additions of parties presenting . . . . .  
Names and additions of parties executing . . . . .  
Names and additions of persons examined . . . . .  
Nature of document . . . . .  
Copy applied for on the— at—  
o'clock . . . . .  
Copy given on the— at— o'clock . . . . .

*Signature of Applicant.*

Authority issuing order, with date and  
nature thereof on appeal, etc., under  
sections 72, 75, and 77 . . . . .

*Date*

*Signature of Registering Officer.*

APPENDIX No. III.

BOOK No. V.—*Register of Deposit of Wills.*

*Sections 42 and 51.*

Serial No.	Year, month, day and hour of presenta- tion of the sealed cover.	Name and addition of depositor of a sealed cover, and his in- terest either as a testator or his autho- rized agent, section 42.	Name and additions of persons testifying to the identity of the depositor	Super- scrip- tion on the cover depos- ited.	In- scrip- tion of seal.	WITHDRAWAL, SECTION 44.			OPENING, UNDER SECTIONS 45 AND 46.			
						Date of ap- plica- tion.	Date on which cover re- turn- ed.	Signa- ture of depo- sitor or his agent.	Date on which open- ed.	At whose in- stance open- ed.	Signature of applicant or the num- ber and date of court's order.	Serial num- ber, year and volume of Book No. III in which the document was copied.
1	2	3	4	5	6	7	8	9	10	11	12	13

NOTE.—The Registrar is to sign across columns 1 to 6 so soon as entries therein have been made and similarly so soon as columns referring to "Withdrawal" or "Openings," respectively, have been filled in, always adding his official title.

# APPENDIX No. IV.

## REGISTER OF POWERS OF ATTORNEY AUTHENTICATED.

Serial No.	of	IS .	Stamp value Rs.
Name and addition of persons executing .			
Name and addition of Attorney or Agent appointed . . . . .			
Executant how identified . . . . .			
Nature of the Power, "General" or "Special" . . . . .			
Date of authentication . . . . .			
Signature and official title of authenticating officer . . . . .			
Number of receipt and amount of fees .			

# APPENDIX No V —(Rule 37).

## CERTIFICATES ON POWERS OF ATTORNEY AUTHENTICATED UNDER SECTION 33.

### When authenticated at Registration Office.

(a) Executed in my presence on this 5th day of August 1877, by Rama, son of Govinda, Lohar of Kolapur, Amraoti taluqa and district, who is personally known to me (or whose identity was proved by the evidence of Balwant, son of Trimbuck, Brahmin, Pleader, of Amraoti City, and Sonaji, son of Balaji, Kunbi, Patel of Amraoti), (if oath was administered here write that they were examined on oath, and that their statements were recorded in the Minute Book, vide Rule 38) and recorded as No.                      of 18 .



Signature and official title of Registering Officer.

### When visit is paid under Section 33.

(b) Having visited and examined the principal <sup>1</sup>[who is personally known to me (or whose identity was proved by the evidence of son of                      , resident of                      )] (name and addition) at his (or her) residence at                      , I am satisfied that this Power of Attorney has been voluntarily executed by him (or her) and I accord-

<sup>1</sup> Inserted by Notification No. 380, dated the 22nd December, 1890. Hyderabad Residency Orders, 1891. Pt. I, p. 3.



ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 439  
under Acts locally applied.)

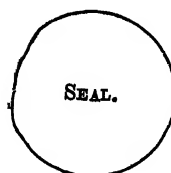
ingly authenticate it under section 33 of "The Indian Registration Act,  
1877," and record it as No.                      for 18   , on this                      day of  
18   .



*Signature and official title of Registering Officer.*

*When commission is issued.*

(c) From the report made by (*name and addition*), who was ap-  
pointed Commissioner to enquire into the voluntary execution of this  
Power of Attorney by (*name and addition*), I am satisfied that it has  
been voluntarily executed by the said (*name only*), and accordingly  
authenticate it under section 33 of "The Indian Registration Act,  
1877," and record it as No.                      for 18   , on this                      day of  
18   .



*Signature and official title of Registering Officer.*

APPENDIX No. VI.

MINUTE BOOK.

Serial No.	Date.	<sup>1</sup> No. and year of receipt.	Minute made and signature of the Registering Officer.

<sup>1</sup> This column was inserted by Notification No. 139, dated the 17th June, 1889.  
*Hyderabad Residency Orders*, 1889, Pt. I, p. 121.

APPENDIX No. VII.

FEE BOOK.

Date.	Serial No. of document.	Book No.
		Registration fee.
		Copying fee.
		Fees for authentication of general lower of attorney.
		Fees for authentication of special lower of attorney.
		Fees for filing translation (section 19).
		Fees on commissions issued.
		Fees on visits paid.
		Fees for inspection of books.
		Extra fees for registration by Registrar.
		Fees for searches.
		Fees on memoranda issued.
		Custody fees.
		Fees on deposit of sealed covers.
		Fees on withdrawal of sealed covers.
		Fees on opening of sealed covers.
		Fines under section 24.
		Fines under section 24.
		Total.
		No. of receipts given for fees paid.
		[Progressive total of unremitted fees.]
		No. and date of challan.

\* This column was inserted by notification No. 380, dated the 22nd December 1890. Hyderabad Residency Orders, 1891, Pt. I, p. 2.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 441  
under Acts locally applied.)

APPENDIX No. VIII.

1 \* \* \*

APPENDIX No. IX.

CASH ACCOUNT BOOK.

Dr.

Cr.

Date.	Particulars of receipts.	Amount.	Initials of Register- ing Officer.	Date.	Particulars of disburse- ments.	Amount.	Initials of Register- ing Officer.
		Rs. a. p.				Rs. a. p.	

APPENDIX No. X.

RECEIPT.

Serial No.—  
of 18 . Receipt given to — , son of —  
No. — of 18 . Office of — of —  
Dated —

Dated.

Nature of docu- ment.	Particulars of fees.	Amount.	Received the document herein referred to on 18 . (Signature of presenter.)
To whom given.		Rs. a. p.	
	Registration fee . . . . .		
	Copying fee . . . . .		
	Fees for authentication of Ge- neral Power of Attorney . . . . .		
	Do. do. of Special Power of Attorney . . . . .		
	Do. filing translation, section 19 . . . . .		
	Fees on commission issued . . . . .		
	Do. visits paid . . . . .		
	Do. for inspection of books . . . . .		
	Extra fees for registration . . . . .		
	Registrar . . . . .		
	Fees for searches . . . . .		
	Do. on memorandum issued . . . . .		
	Custody fees . . . . .		
	Fees on deposit of sealed covers . . . . .		
	Do. withdrawal of sealed covers . . . . .		
	Do. opening . . . . .		
	Fines under section 24 . . . . .		
	Do. do. 34 . . . . .		
	Total . . . . .		
Nature of docu- ment.			
Total amount of fees levied.			

Signature of Registering Officer.

Signature of Registering Officer.

<sup>1</sup> Cancelled by Notification No. 151, dated the 26th April, 1895. Hyderabad  
Residency Orders, 1895, Pt. I, p. 108.

APPENDIX No. XI.—(Rule 60.)

INDEXES NOS. I AND IV.

Sub-District \_\_\_\_\_

District \_\_\_\_\_

Name and father's name of executant or claimant.	Trade, profession or caste of the executant or claimant.	Town or village, taluq and district in which the executant or claimant resides.	Interest or liability under the document or memoranda (vendor or vendee, mortgagor or mortgagee, plaintiff or defendant and the like).	Serial No. and year of the document registered.

<sup>1</sup>APPENDIX XII-A.—(Rule 60.)

INDEX No. II.

For District Registrar's Office only.

District.

Name of town or village in which the property is situated.	Name of sub-district.	Nature of the document (a lease, conveyance, mortgage, etc.)	Nature of property : (a) Survey fields. (b) Houses or buildings. (c) Other property.	If a survey field, its Survey No.	Serial No. and year of document registered in Book No. 1.

<sup>1</sup> Appendix XII A and XII B were substituted for the original Appendix XIII by Notification No. 26, dated the 22nd February, 1899. Hyderabad Residency Orders, 1889. Supplement, p. 17.

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 443  
under Acts locally applied.)**

**APPENDIX XII-B—(Rule 60.)**

For 10 years.

INDEX No II.

18 to 18 .

Sub-District.

Fields.

District.

Name of village

Survey No.	Serial number and year of document registered in book No 1.					Survey No.	Serial number and year of document registered in book No. 1.				
1	$\frac{1}{1890}$	$\frac{250}{1892}$				11					
2						12					
3	$\frac{5}{1891}$	$\frac{113}{1894}$				13					
4						14					
5						15					
6						16					
7						17					
8						18					
9						19					
10						20	$\frac{118}{1895}$				

444 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders under Acts locally applied.)

For 10 years. 18 to 18 .		INDEX No. II. <hr/> <div style="display: flex; justify-content: space-between;"> <span>Sub-District</span> <span>District</span> </div> <hr/> Name of village _____		Houses and buildings.
-----------------------------	--	--	--	--------------------------

Serial number and year of document registered in Book No. 1.						Serial number and year of document registered in Book No. 1.					
1891.						1892.					
3	10	22	51	93	111						
1893.						1894.					
12	114										
1895.						1896.					
1	50	109									
1897.						1898.					
1899.						1900.					

INDEX No. II.

FOR THE MONTH OF 18 .

Sub-District \_\_\_\_\_

District \_\_\_\_\_

Name of the town or village and pargana in which the immovable property is situate, and if in a town the name of the street if it has a name.	Name of the taluka and of the district.	Nature of the document with a specification of the consideration as therein set forth.	Serial numbers given to, with the year, book, volume and page of the entry of the document

NOTE (a)—The form for property other than fields and houses will be similar to this, that description being substituted for "houses and buildings" in upper right-hand corner.

NOTE (b)—For large villages or towns the number of spaces for entries will be increased.

APPENDIX No. XIII.—(*Rule 60.*)

INDEX No. III.

*Sub-District* \_\_\_\_\_

District \_\_\_\_\_

[illegible]

APPENDIX No. XIV.—(Rule 87.)

NOTICE OF INTENDED DESTRUCTION OF A DOCUMENT.

Notice is hereby given to you (*name and addition of the obligor, or obligee, under the document, as the case may be*) that unless you, within two months from the date of this notice claim and pay custody fees for the (*here briefly state the nature of the document*), dated , executed by (*name and addition*), in your favour (*or by you*) in favour of (*name and addition*), and which has lain unclaimed in the (*name of office*) since the (*date of entry in the unclaimed list*), the said document will, on the expiration of the said two months, be destroyed.

*Signature of Registering Officer.*

*Date in writing in figures.*

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APPENDIX No. XV.—(Rule 110.)

PRESENTATION ENDORSEMENT UNDER SECTION 52.

Presented at 11 o'clock on the 5th August 1877 in the office of the Sub-Registrar of Kolhapur sub-district, Amraoti district (*or at the house of Tanba, son of Sakharam, in Kolhapur*), by Motee, son of Haree.

*Signature and official title of  
Registering Officer.*

*Signature and addition of Motee.*

<sup>1</sup> [NOTE.—Status of the presenter should be described after his parentage if he acts as representative, assign, or agent.]

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APPENDIX No. XVI.—(Rule 122.)

Returned to under Rule 122, for amendment in the following particular, *viz.*:—  
(*or for presentation in proper office.*)

*Signature and official title of Registering Officer.*

*Dated*

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<sup>1</sup> Added by Notification No. 223, dated the 18th December, 1885. *Hyderabad Residency Orders*, 1886, Pt. I, p. 3.



APPENDIX No. XVII.—(Rule 129.)

ENDORSEMENTS ON DOCUMENTS ADMITTED TO REGISTRATION UNDER SECTION  
58.

When executing party is personally known to the Registering Officer:—

(a) Execution and receipt of consideration (*in full or in part, specifying the amount*) admitted by Tanba, son of Sakharam, Malee, resident of Kolhapur, Amraoti taluk and district, who is personally known to the Registering Officer. Dated this 5th day of August 1877.

*Signature and official title of  
Registering Officer.*

*Signature and addition of Tanba.*

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When executing party is identified by witnesses:—

(b) Execution and receipt of consideration (*in full or in part, specifying the amount*) admitted by Mahadoo, son of Laxman, Teli, resident of Lonar, Mehkar taluk, Buldana district, who was identified by Rawjee, son of Bhugwanjee, Patel of Lonar, aforesaid, and by Ragho, son of Gunnoo, Patwari, of the same village (*if oath was administered, here write who were examined on oath and that their statements were recorded in the Minute Book, vide Rule 38*), <sup>1</sup>[to the satisfaction of the Registering Officer]. Dated this 5th day of July 1877.

*Signature and addition of Mahadoo.*

*Signature and addition of Rawjee.*

*Signature and official title of  
Registering Officer.*

*Signature and addition of Ragho.*

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<sup>1</sup> Substituted by Notification No. 244, dated the 3rd December, 1884. *Hyderabad Residency Orders*, 1884, Pt I, p. 168.

When execution is admitted by an agent of the executant:—

(c) Execution and receipt of consideration (*in full or in part, specifying the amount*) admitted by Ramchandra, son of Raghunath, Brahmin, resident of Amraoti City, Amraoti taluk, and district, agent for Tanba, son of Sakharam, Brahmin of Kolhapur, Amraoti taluk and district, under a power-of-attorney dated 1st August, 1877, and authenticated by \_\_\_\_\_ who is personally known to the Registering Officer (*or if identified by witnesses here enter as shown in Appendix XVII (b) above*). Dated this 5th day of August, 1877.

*Signature and official title of  
Registering Officer.*

*Signature and addition of Ramchandra.*

*Signature and additions of Witnesses if any.*

When execution is admitted by a <sup>1</sup>[guardian], representative or assign of the executant:—

(d) Execution and receipt of consideration (*in full or in part, specifying the amount*) admitted by Dewaji, son of Rybhanji, Kunbi, cultivator of Nandgaon Peith, Amraoti taluk and district, as <sup>1</sup>[(guardian, representative or assign as the case may be)] of Tanba, son of Sakharam, Kunbi of Kolhapur, Amraoti taluk and district <sup>1</sup>[(minor, a person of unsound mind, or deceased as the case may be)] who has proved his status by the evidence of Govind Rao, son of Trimbak Rao, Brahmin, Shroff of Yawlee, Amraoti taluk and district, and Yeshwanta, son of Atmaramjee, Kunbi, Sahukar of Anjangaon, Daryapur taluk, Ellichpur district <sup>2</sup>[(*if oath was administered here write who were examined on oath and their statements were entered in the Minute Book, vide Rule 38.*)] Dated this 5th day of August, 1877.

*Signature and official title of  
Registering Officer.*

*Signature and addition of  
Dewaji.*

*Signature and additions of the witnesses  
Govinda and Yeshwanta.*

NOTE 1.—In case in which the obligor receives the consideration in the presence of the Registering Officer in Appendix No. XVII (a), (b) and (c) for the words

<sup>1</sup> See Notification No. 170, dated the 10th July, 1889. *Hyderabad Residency Orders*, 1889, Pt. I, p. 132.

<sup>2</sup> Substituted by Notification No. 187, dated the 3rd July, 1886. *Hyderabad Residency Orders*, 1886, Pt. I, p. 103.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 449  
under Acts locally applied.)

"Execution and receipt of consideration admitted" substitute "Execution admitted by, and Rs. (—) paid or property (*specifying what property*) handed to (*name and addition*) in the presence of the Registering Officer".

2 In case of refusal to sign endorsements, the Registering Officer is required, under section 58, to add to the endorsements made under the section a note as follows —

"The aforesaid (*name and addition*) refused to sign the above endorsement"

When the executant admits execution but alleges non-receipt of consideration, etc. :—

(e) Execution admitted by Govinda, son of Hurba, Teli of Akoli, Amraoti taluk and district, who is personally known to the Registering officer (*or identified by names and additions*). The said Govinda alleges that he has received no consideration, or only a part of the consideration (*specify part named*) for the document, or that execution of the document was obtained from him by fraud (*or in any other of the ways specified in Rule 26; in each case note the full details of the complaint made*) on the part of (*name and addition*) who, the obligor being unable to read, gave him to believe that the document was a bond for the payment of Rs. 25, whereupon the obligor executed the document, whereas it now proves to be a bond for Rs. 250. Dated this 5th day of August, 1877.

*Signature and official title of Registering Officer.*

*Signature and addition of  
Govinda.*

*Signature and additions of witnesses, if any.*

When commission is issued under section 38 :—

(f) "[Execution and receipt of consideration (*or as the case may be*) admitted this day by \_\_\_\_\_, son of \_\_\_\_\_, caste \_\_\_\_\_, resident of \_\_\_\_\_, Taluk \_\_\_\_\_, district, who is personally known to me (*or was identified by*) at \_\_\_\_\_]

*Dated*

*Signature and addition of person  
examined.*

*Signature of Commissioner.]*

*Signatures of witnesses to identification, if any.*

<sup>1</sup> Substituted by Notification No. 150, dated the 19th May, 1891. Hyderabad Residency Orders, 1891, Pt. I, p. 111.

<sup>1</sup>APPENDIX No. XVII-A.—(Rule 129-A.)

The death of the testator (*or donor*) and the execution of the will (*or authority to adopt*) by the deceased testator (*or donor*) proved to the satisfaction of the Registering Officer by \_\_\_\_\_, son of \_\_\_\_\_, and \_\_\_\_\_, son of \_\_\_\_\_ (if oath was administered add,—“*whose statements have been recorded in the Minute Book.*”) Dated 18 .

*Signature of Registering Officer.*

*Signature of persons examined.*

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APPENDIX No. XVIII.—(Rule 133.)

ENDORSEMENT ON CERTIFICATE OF REGISTRATION UNDER SECTION 60.

Registered in Book No. \_\_\_\_\_, volume \_\_\_\_\_, on page \_\_\_\_\_  
(or pages \_\_\_\_\_ and \_\_\_\_\_) as serial number \_\_\_\_\_ of 18 , on this  
day of \_\_\_\_\_ 18 .

*Signature and official title of Registering Officer.*



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APPENDIX No. XIX.

MEMORANDA UNDER SECTIONS 64, 65 AND 66 OF THE ACT (RULE 135) ON  
NON-TESTAMENTARY DOCUMENTS REGISTERED IN BOOK No. I.

Memorandum made under Section \_\_\_\_\_ of “The Indian Registration Act, 1877,” of a document non-testamentary and relating to im-

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<sup>1</sup> Added by Notification No. 414, dated the 27th November, 1894. *Hyderabad Residency Orders*, 1894, Pt. I, p. 325.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 451  
under Acts locally applied.)

moveable property, which has been registered as Serial No. , on  
page of volume No. , of Book No. I of 18 , in the  
office of Registrar of .

Date of execution.

Date of presentation.

Date of registration.

Names and additions of the persons who  
executed the document.

Names and additions of persons claiming  
under the document.

Nature of the document and consideration  
and value.

Specification of the property.

Property where situated—*vide* Section 21  
of the Act and Rule 22.

Date of despatch of copy or the  
memorandum by Registering Officer.

To whom despatched.

Date of receipt of copy in Registrar's  
office.

Date of receipt of memorandum in Sub-  
Registrar's office.

(Seal.)

*Signature and official title of Despatching Officer.*

Received and filed in Supplementary Book No. I, volume of  
18 , as page .

*Signature and official title of Receiving Officer.*

APPENDIX No. XX.—(Rule 138.)

LIST OF UNCLAIMED DOCUMENTS.

Nature and serial No. of the document.	Date of presenta- tion.	Date of			Signature of Registering Officer.	Removal from this list.		Signature of Registering Officer.
		Registra- tion, Section 60.	Refusal to register, section 71.	Entry in this list.		Date of	Reason for	

<sup>1</sup> [NOTE.—The list will be renewed annually on the 1st January, unclaimed documents undisposed of on the 31st December being brought on to the new year's list. Old lists will be destroyed after three years.]

<sup>2</sup> Added by notification No. 299, dated the 2nd October, 1893. *Hyderabad Residency Orders*, 1893, Pt. I, p. 194.

APPENDIX No. XXI.—(Rule 138.)

MONTHLY REPORT OF APPOINTMENT.

Name and rank of officer appointed.	Where appointed or where taken charge <i>ex-officio</i> .			Section of the Act if appointed under section 11 or 12.	In whose room appointed	Date on which change was taken and whether before or after noon.	Causes of appointment or change of officer in charge of office.
	Office.	Dis-trict.	Sub-Dis-trict				
1	2	3	4	5	6	7	8

No. of 18

Forwarded to the Inspector-General of Registration, Hyderabad Assigned Districts.

Station \_\_\_\_\_

Date \_\_\_\_\_

Registrar \_\_\_\_\_ District.

<sup>1</sup>APPENDIX No. XXII.—(Rule 125-A).

Register of thumb impressions.

1	2	3	4	5
Serial No.	Book No. Serial No. of document.	Name of executant.	Date of impression.	Thumb impression.

Signature of Sub-Registrar.

[Hyderabad Residency Orders, 1883, Pt. I, p. 127.]

<sup>1</sup> Added by Notification No. 17, dated the 20th January, 1897. Hyderabad Residency Orders, 1897, Pt. I, p. 26.

*Fees in Secunderabad and Aurangabad.*

No. 9, dated the 8th July, 1886.—With the sanction of the Government of India, the Resident is pleased to extend to the Cantonment of Secunderabad the following revised table<sup>1</sup> of registration fees for the Hyderabad Assigned Districts, published in the Residency Orders notification<sup>2</sup> No. 113, dated 1st June, 1886, with effect from the 1st August, 1886. <sup>1</sup>

[Hyderabad Residency Orders, 1886, Pt. I, p. 103.]

*In the Residency Bazars.*

No. 3, dated the 4th March, 1891.—With the approval of the Governor General in Council the Resident is pleased to apply to the Hyderabad Residency Bazars, with effect from the 1st April, 1891, the following table<sup>1</sup> of fees prepared under section 78 of the Indian Registration Act, III of 1877<sup>3</sup>, as applied to the Hyderabad Assigned Districts, and in force in those places.

[Hyderabad Residency Orders, 1891, Pt. I, p. 42.]

*In the Railway Lands.*

No. 14, dated the 5th May, 1894.—In exercise of the power conferred by section 78 of the Indian Registration Act (III of 1877)<sup>3</sup> as applied to the lands in the territory of His Highness the Nizam of Hyderabad, which are occupied by the Nizam's Guaranteed State Railway Company, by the Great Indian Peninsula Railway, \* \* and by the Madras Railway, respectively \* \*, the Resident at Hyderabad is pleased, with the approval of the Governor General in Council, to apply to the aforesaid lands, with effect from this date, the following table<sup>1</sup> of fees.

[Hyderabad Residency Orders, 1894, Pt. I, p. 113.]

\*TABLE OF FEES UNDER SECTION 78 OF THE INDIAN REGISTRATION ACT III  
OF 1877.

*Ordinary Registration Fees.*

	SCALE OF FEES.	RS. A. P.
<sup>4</sup> I. Registration of documents—		
(1) When the value does not exceed Rs. 10 . . . .		0 4 0
(2) When the value exceeds Rs. 10, but does not exceed Rs. 25 . . . . .		0 6 0

<sup>1</sup> Printed below.

<sup>2</sup> Added by Notification No. 17, dated the 20th January, 1897. *Hyderabad Residency Orders*, 1897, Pt. I, p. 26.

<sup>3</sup> See now the Indian Registration Act, 1908 (XVI of 1908), as applied by Notification No. 260-I., dated the 24th April 1929. Printed *supra*, p. 27.

<sup>4</sup> To be understood to include awards, acknowledgments, agreements, assignments, bills of exchange, bills of sale, composition deeds, contracts, certified copies of decrees and orders of courts, covenants, grants, instruments of partition, promissory notes, releases, settlements, articles of partnership and instruments of dissolution of partnership.

<sup>5</sup> Article I was substituted by Notification No. 37-J., dated the 26th March, 1926. *Hyderabad Residency Orders*, 1926, Pt. I, p. 42.

454 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders under Acts locally applied.)

	Rs.	A.	P.
I. Registration of documents— <i>contd.</i>			
(3) When the value exceeds Rs. 25, but does not exceed Rs. 50 . . . . .	0	8	0
(4) When the value exceeds Rs. 50, but does not exceed Rs. 75 . . . . .	0	12	0
(5) When the value exceeds Rs. 75, but does not exceed Rs. 100 . . . . .	1	0	0
(6) When the value exceeds Rs. 100, but does not exceed Rs. 200 . . . . .	1	8	0
(7) When the value exceeds Rs. 200, but does not exceed Rs. 300 . . . . .	2	0	0
(8) When the value exceeds Rs. 300, but does not exceed Rs. 400 . . . . .	2	8	0
(9) When the value exceeds Rs. 400, but does not exceed Rs. 500 . . . . .	3	0	0
(10) When the value exceeds Rs. 500, but does not exceed Rs. 600 . . . . .	3	8	0
(11) When the value exceeds Rs. 600, but does not exceed Rs. 750 . . . . .	4	0	0
(12) When the value exceeds Rs. 750, but does not exceed Rs. 1,000 . . . . .	5	0	0
(13) When the value exceeds Rs. 1,000 but does not exceed Rs. 2,500—			
For the first Rs. 1,000 as under sub-clause (12), and for every Rs. 500 or part thereof in excess of Rs. 1,000 . . . . .	1	0	0
(14) When the value exceeds Rs. 2,500, but does not exceed Rs. 5,000—			
For the first Rs. 2,500, as under sub-clause (13) and for every Rs. 500 or part thereof in excess of Rs. 2,500 . . . . .	1	8	0
(15) When the value exceeds Rs. 5,000, but does not exceed Rs. 25,000—			
For the first Rs. 5,000 as under sub-clause (14), and for every [Rs. 1,000] <sup>1</sup> or part thereof in excess of Rs. 5,000 . . . . .	2	0	0
(16) When the value exceeds Rs. 25,000, but does not exceed Rs. 50,000—			
For the first Rs. 25,000 as under sub-clause (15), and for every Rs. 1,000 or part thereof in excess of Rs. 25,000 . . . . .	2	8	0
(17) When the value exceeds Rs. 50,000. For the first Rs. 50,000, as under sub-clause (16), and for every Rs. 1,000 or part thereof in excess of Rs. 50,000 .	3	0	0
(18) For the registration of powers of attorney . . . . .	3	0	0
II. For registration of any document of the kind mentioned in Article 1 and note, if no consideration, rent or value is expressed . . . . .			
	5	0	0
III. If such consideration or value be only partly expressed, an <i>ad valorem</i> fee according to Article 1 on the portion so expressed and in addition a fee of . . . . .			
	2	0	0

<sup>1</sup> Substituted by Notification No. 57-J., dated the 1st June, 1926. *Hyderabad Residency Orders*, 1926, Pt. I, p. 125.



**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 455  
under Acts locally applied.)**

- IV. For registration of a separate deed acknowledging receipt The same fee as for  
or payment of consideration on account of another deed, the original deed  
which has been previously registered. if not exceeding 8  
annas; otherwise  
8 annas.

Rs. A. P.

- V. For deposit of a sealed cover containing a will, or for  
opening such cover, or for withdrawal of such cover,  
or for registration of a will or of any document which  
cannot be brought under the *ad valorem* scale of this  
table and is not specially provided for . . . . . 2 0 0
- VI. For authentication of a power-of-attorney under section 33,  
if special . . . . . 0 8 0
- For authentication of a power-of-attorney under section 33,  
if general . . . . . 1 0 0

NOTE.—The Inspector-General of Registration may, at his discretion, remit the fee in such cases altogether when it appears to him that its exaction would be productive of injustice or hardship.

*Extra fees (leviable in all cases in addition to ordinary fees).*

Rs. A. P.

- VII. For registration of a document by a Registrar . . . . . 4 0 0

NOTE.—This extra fee is not leviable by Registrar when the registration of a document by him is owing to the fact that the Sub-Registrar, who would ordinarily have registered it, is interested in it.

Rs. A. P.

- VIII. For each attendance at a private residence or jail under  
section 31, 33, or 38, or for issue of commission under  
section 33 or 38. If the person is physically unable to  
attend the office or is in jail . . . . . 5 0 0 }\*
- Otherwise . . . . . 10 0 0 }

- IX. Searching for entry by registering officers or inspection of  
books or indexes by applicants—

For the first year or part of a year of which the register  
or index is searched at the request of applicant or  
is inspected by him and for each entry or document . . . . . 1 0 0

For each subsequent year or part of a year and for  
each entry or document . . . . . 0 4 0

NOTE 1.—No search fee shall be levied if the applicant in his application gives correctly the number of the document and of the book and the year in which it was registered.

NOTE 2.—Government officers who may require to inspect or search the registers or take copies of entries for *bond fide* public purposes are exempted from the payment of fees.

Rs. A. P.

- X. For filing translation (section 62) . . . . . 2 0 0
- XI. Fee for service of each summons . . . . . 0 6 0
- XII. Fee for executing warrant of arrest of persons . . . . . 1 0 0
- XIII. For granting copy of a map or plan and for every  
memorandum sent under section 64, 65, or 66 . . . . . 0 8 0

NOTE.—Fees for memoranda to be sent by the Registrar under section 65 should be levied by the Sub-Registrar.

\* In addition to travelling allowance at the rates permissible under the Civil Travelling Allowance Code.

Rs. A. P.

XIV For the safe custody of a document entered on the unclaimed list.

For the first 15 days during which it remains on the unclaimed list and for every succeeding 15 days or part thereof . . . . . 0 8 0

*Example*—A document entered on the unclaimed list on the evening of the 15th October becomes liable to a custody fee of one rupee on the opening of office on the morning of 31st October.

NOTE—The maximum fee under this head shall not in any case exceed Rs. 5.

The Inspector-General of Registration may in his discretion remit the fee altogether in any case when it appears to him that its exaction would be productive of injustice or hardship.

*Copying Fees.*

Rs. A. P.

XV. For making or granting copies of reasons for refusal to register under section 76, or of a document under section 65 or section 66, or of entries under section 57, or for copying a document in the book appropriated therefor under section 52, per folio of 100 words in the body of the deed . . . . . 0 2 6<sup>1</sup>

*Calculation of fees when value is expressed in Hali Sicca Currency.*

No. 50-J., dated the 14th May, 1926.—The Resident is pleased to direct that in calculating Registration fees, the value where expressed in Hali Sicca Currency should be converted into British Indian Currency and the fees charged in the latter currency but received in H. S. Currency at the rate prescribed in Government of India Notification No. 1578-I. B.,<sup>1</sup> Foreign and Political Department, dated the 25th May, 1921, for calculating Stamp duty.

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 114.]

INDIAN ELECTRICITY ACT, 1910.

*Secunderabad and Aurangabad Cantonments Electricity Rules, 1926.*

No. 519-I., dated the 10th November, 1926.—Not re-printed.

[*Gazette of India*, 1926, Pt. I, p. 1184.]

INDIAN FACTORIES ACT, 1911.

*Returns to be furnished by occupiers of factories in the railway lands.*

No. 4446-I. B., dated the 25th September, 1903.—In exercise of the powers conferred by sub-section (2) of section 18 of the Indian Factories Act, 1881 (XV of 1881), as amended by the Indian Factories Act, 1891 (XI of 1891), and applied to the Hyderabad Assigned Districts and to the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* \* the Governor General in Council is pleased to make the following rule:

\* In addition to a fixed copying fee of 4 annas for endorsements copied.

<sup>1</sup> Printed *supra*, page 345.

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 457  
under Acts locally applied.)**

Every occupier of a factory shall furnish to the Magistrate of the District the undermentioned returns:—

I. On or before the 15th January, of each year an annual return in the following form:—

Name and situation of factory.	Name of owner or occupier.	Name of manager.	Nature of industry.	Nature and amount of moving power.	AVERAGE DAILY NUMBER OF OPERATIVES EMPLOYED				Whether the factory is worked by shifts or stoppages and, in the latter case, the hour and extent of daily stoppage	Whether there is a general holiday on Sunday or on varying week days, or whether the factory has been exempted from the rule as to Sunday labour under section 5-B (1), clause (c) of the Act	REMARKS.
					Adults.		Children.				
					Male.	Female.	Male.	Female.			

*N.B.*—The average daily number of children is to be taken from the register of children kept in the Factory.

II. A return in the following form regarding measurements and space:—

Name and situation of factory.	Name of Occupier.	Measurements and cubical contents of each room in the factory.	Area of the floor-space of any room shown in the preceding column occupied by machinery or other fixtures.	REMARKS.

This return shall be submitted for every factory when it is first registered under the Act, and thereafter, whenever any alteration is made in the factory which affects the measurements and cubical contents of any room or the area of the floor-space in any room occupied by machinery or other fixtures.

III. Before the end of each calendar month, a return giving notice of all the days on which the factory will be closed during the ensuing month. This return must be submitted whether the factory is or is not working during the calendar month preceding the one to which the return relates.

[*Gazette of India*, 1903, Pt. I, p. 863.]

#### INDIAN AIRCRAFT ACT, 1911.

##### *Prohibition of Navigation of Airships over the Residency Bazars and Secunderabad.*

*No. 57-J., dated the 28th July, 1914.*—In exercise of the power conferred on him by section 7 of the Indian Airships Act, 1911 (XVII of 1911), as applied to the Cantonment of Secunderabad and the Hyderabad Residency Bazars by the notification of the Government of India in the Foreign Department, No. 582-I. B.,<sup>1</sup> dated the 22nd March, 1913, the Resident is pleased to prohibit the navigation of airships over the whole of the Hyderabad Residency Bazars and over all land in the Cantonment of Secunderabad including Bolaram situated within 3 miles of the Trimulgherry Entrenchment.

[*Hyderabad Residency Orders*, 1914, Pt. I, p. 55.]

#### CO-OPERATIVE SOCIETIES ACT, 1912.

##### *Remission of income-tax, registration fees and stamp duty.*

*No. 835-I. B., dated the 21st March, 1918.*—In exercise of the powers conferred by section 28 of the Co-operative Societies Act, 1912 (II of 1912), as applied to the Administered Areas in the Hyderabad State, the Governor General in Council is pleased to remit:—

- (1) the income-tax payable in respect of the profits of any Co-operative Society for the time being registered under the Act, or of the dividends or other payments received by the members of any such Society on account of profits.

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<sup>1</sup> See now Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, p. 27.

- (2) the following fees payable under the law of registration for the time being in force, namely:—
- (a) all fees payable by, or on behalf of, any Co-operative Society for the time being registered under the Act, and
  - (b) all fees payable in respect of any instrument executed by any officer or member of such a Society and relating to the business thereof, and
- (3) the stamp duty with which, under any law for the time being in force in the said Areas, instruments executed by or on behalf of any Co-operative Society for the time being registered under that Act, or instruments executed by any officer or member of any such Society and relating to the business of the Society, are respectively chargeable.

[*Gazette of India*, 1918, Pt. I, p. 426.]

*Hyderabad Residency Co-operative Societies Rules, 1919.*

No. 75-J., dated the 27th August, 1919.—In exercise of the powers conferred on him by section 43 of the Co-operative Societies Act, 1912 (II of 1912), as applied to the Administered Areas in the Hyderabad State, the Resident is pleased to make the following rules to carry out the provisions of the Act.

1. These rules may be called the Hyderabad Residency Co-operative Societies Rules, 1919.

2. In these rules:

- (a) the expression "The Act" means the Co-operative Societies Act, 1912 (II of 1912), as applied to the Administered Areas in the Hyderabad State;
- (b) terms defined in the Act shall bear the meanings respectively assigned to them therein.

3. *Member's interest.*—Whether the liability of the members of a society is limited by shares or unlimited, no member other than a registered society, shall hold more than one-fifth of the share capital of the society.

4. *Application for registration.*—(a) Every application for the registration of a society shall be submitted to the Registrar in the form appended to these rules.

(b) The application may be submitted either by a registered society or societies or by persons not less than 10 in number and all above the age of 18. When a registered society is an applicant the application

shall be signed on its behalf by the officer of the society duly empowered for that purpose under the by-laws of the society.

(c) Together with the application shall be submitted two copies of the by-laws which the society proposes to adopt which shall be signed by the applicants. If the society be registered one copy of the by-laws shall be retained in the Registrar's office and the other shall be signed by the Registrar and returned to the society, stamped with his official seal.

5. In every case in which the Registrar refuses to register a society and its by-laws he shall record in writing the reasons for his refusal and shall communicate his decision to the applicants.

6. *Compulsory by-laws.*—The society shall make by-laws in respect of the following matters:—

- (a) the name and address of the society;
- (b) the area of its operations;
- (c) the objects of the society;
- (d) the purpose to which the funds are applicable;
- (e) the qualifications for admission to membership and the payment, if any, to be made or interest to be acquired as a condition of exercising the right of membership;
- (f) the nature and extent of the liability of the members for the debts contracted by the society;
- (g) the circumstances in which withdrawal from membership shall be permitted;
- (h) the procedure to be followed in cases of withdrawal, ineligibility and death of members;
- (i) the conditions, if any, under which the transfer of a share or the interest of a member shall be permitted;
- (j) the nature and amount of the share capital, if any, of the society and where there is a share capital the maximum share capital which a single member can hold;
- (k) the circumstances in which the society may borrow funds and the procedure to be followed in so borrowing;
- (l) the entrance fees and fines, if any, to be collected from members;
- (m) the maximum loan admissible to a member and the procedure to be followed in granting loans and extensions or renewals and in recovering loans from members;
- (n) the conditions on which loans may be granted to members;

- (o) the consequences of default in repayment of any sum due by a member, on account of shares or loans;
- (p) the security for repayment;
- (q) the rates of interest payable by the society on borrowed funds and by members on loans granted to them;
- (r) in the case of productive and distributive societies the procedure to be followed in purchasing and selling stores, raw material and finished products;
- (s) general meetings and the procedure and powers of such meetings;
- (t) appointment, suspension and removal of members of the managing committee and officers; the powers and duties of the managing committee and officers;
- (u) disposal of the profits;
- (v) the authorization of an officer to sign documents on behalf of the society;
- (w) payment of fees for auditing the accounts of the society.

7. *Amendment of by-laws.*—(a) Subject to the provisions of section 11 of the Act and of rule 6 of these rules a society may from time to time make new by-laws for the conduct of its business, or may amend or cancel any by-law already made.

(b) Such additions, amendments or cancellations shall only be made by a majority of not less than two-thirds of members then present at a general meeting.

(c) Two copies of such amendments signed by three officers of the society shall be submitted to the Registrar accompanied by —

- (1) a statement that the amendment was adopted by a majority of not less than two-thirds of members then present at a general meeting;
- (2) an application that the change in the by-laws be registered.

If the Registrar approves of the amendments he shall register them, retain one copy in his office and return the other to the society with a certificate that the amendments have been registered.

*Explanation.*—Amendment includes a new by-law and a resolution rescinding a by-law.

8. *Limit of loans.*—Every society with unlimited liability shall from time to time fix, in a general meeting, the maximum liability it may incur in loans or deposits from non-members. The maximum so fixed shall be subject to the sanction of the Registrar who may if he thinks

fit reduce it. No society may receive any loan or deposit from a non-member which will make its liability to non-members exceed the limit sanctioned by the Registrar.

9. *Special general meeting.*—Notwithstanding anything contained in the by-laws of a registered society as to the mode of summoning a general meeting, and the object, time and place of such meeting, the Registrar or any person authorised by the Registrar may summon at any time a special general meeting of the society in such manner and at such time and place as he may direct; and may specify what matters shall be discussed by the meeting. Such meeting will have all the powers of and be subject to the same rules as a general meeting called according to these rules or the by-laws of the society.

10. *Voting.*—Questions before a general meeting shall be decided, unless otherwise specifically provided, by a majority of members present.

11. *Books of a society.*—(1) A society shall keep such accounts and books as may from time to time be prescribed or approved by the Registrar and shall publish a balance sheet annually in such manner as the Registrar may by general or special order prescribe.

*Publication of annual balance sheet.*—(2) A central Bank shall exhibit its annual balance sheet to any person desiring to see it during office hours. Every primary credit society shall exhibit its annual balance sheet to any person interested in its funds as member, depositor, or creditor.

12. *Annual statements.*—The committee of every society, or some officers of the society appointed for this purpose by the Committee shall prepare yearly in such forms as may be prescribed by the Registrar, (a) an account showing the income and expenditure of the year, (b) a profit and loss account and (c) a balance sheet. The account shall be made up to 6th July, and a copy of each account shall be sent to the Registrar within such time as he may direct.

13. *Copies.*—For the purpose of section 26 of the Act a copy of an entry in the book of a society may be certified by a certificate written at the foot of such copy, declaring that it is a true copy of such entry; that such entry is contained in one of the ordinary books of the society and was made in the usual and ordinary course of business and that the book containing the entry is still in the custody of the society, such certificate being dated and signed by the Secretary of the society or other officer approved by the Registrar.

14. *Nomination.*—(a) Any member of a registered society may in writing or by a declaration duly made nominate any person or persons to whom his share or interest or the value of such share or interest and all other monies referred to in section 22 of the Act that may be



due to him may on the death of such member be paid or transferred under the provisions of the said section and may in similar manner from time to time revoke or vary such nomination provided that the value of the member's share or interest shall be represented by the sum actually paid by the member to acquire such share or interest unless the by-laws provide for calculation thereof otherwise.

(b) Every registered society shall keep a register of all persons so nominated.

(c) The nominee may become a member only if admitted by the Committee.

15. *Withdrawal of members.*—In societies of limited or unlimited liability:—

(a) a member who is not in debt to the society and is not surety for an unpaid debt may withdraw from the society after giving one month's notice to the Secretary;

(b) a member who ceases to be qualified under the by-laws shall be removed from the Committee;

(c) a member may be removed or expelled from the society in such way and for such cause only as may be prescribed by the by-laws;

(d) a member withdrawing, removed or expelled from the society shall be entitled after the period prescribed in the by-laws to repayment without interest of any money paid by him or his predecessor in interest towards the purchase of shares.

16. *Charitable purposes.*—Should a society whether with limited or unlimited liability elect to appropriate a portion of its profits to a "Charitable purpose" under section 34 of the Act, the purpose designated by the expression "Charitable purpose" shall be clearly defined in the by-laws of the society.

17. All the profits of a registered society, less the amount carried to the reserve fund and the amount, if any, distributed to members in accordance with section 33 and the rules made or general or special order issued thereunder and less the amount, if any, contributed, to charitable purposes under section 34 shall be credited to the reserve fund.

18. *Reserve Fund.*—The reserve fund of a society may, unless the Registrar by special order direct it to be invested as provided in section 32 (1), (a), (b), (c), (d), be utilised in the business of the society.

19. The reserve fund shall be indivisible and no member shall be entitled to claim a specified share in it.

20. (1) On the dissolution of a registered society, the reserve fund shall be applied first to discharging the liabilities of the society and the repayment of the share capital paid up and if for any period no dividend has been paid from profits to the payment of a dividend for such period at a rate not exceeding 10 per cent. per annum.

(2) Such portion of the reserve fund as may remain after the payments mentioned in sub-clause (1) shall be applied to such local object of public utility as may be selected by the Committee and approved by the Registrar. If within three months after dissolution of the society the committee fails to make any selection that is approved by the Registrar, the latter shall either credit the above mentioned portion of the reserve fund to the co-operative society if any to which the society is affiliated, or shall place the amount on deposit in some co-operative or other bank until a new co-operative society with a similar area of operations is registered, in which event it shall be credited to the reserve fund of such society.

21. *Dividend.*—(a) In a society with limited liability the dividend shall not exceed 12 per cent. per annum on share capital actually paid up. No bonus to shareholders shall be distributed in addition to dividend.

(b) In a society with unlimited liability and with shares no dividend or bonus shall be paid until 10 years have elapsed from the date of registration. In the eleventh year, after at least one-quarter of the accumulated net profits have been carried to the reserve fund, the remainder of such profits shall be apportioned among the members in the form of non-returnable shares. In the twelfth year and each following year, after at least one-fourth of the net profits of the year have been carried to the reserve fund, the dividend not exceeding  $12\frac{1}{2}$  per cent. on each fully paid share may be paid from the remainder of the profits.

(c) No part of the funds of a society not having share capital shall be divided among the members as bonus or dividend.

22. *Disputes.*—(a) Any dispute concerning the business of a co-operative society between members or past members of the society or persons claiming through them, or between a member or past member or person so claiming and the committee or any officer or between any two societies shall be referred to the Registrar. Reference may be made by the Committee or by the society by resolution in general meeting or by any party to the dispute, or if the dispute concerns a sum due from a member of the committee to the society, by any member of the society.

(b) The Registrar shall have power on receipt of such reference either to decide the dispute himself or to refer it for decision to an arbitrator

appointed by him or to three arbitrators of whom one shall be appointed by each of the parties and the third shall be nominated by the Registrar and shall act as chairman. When any party to a dispute fails to nominate a suitable arbitrator within 15 days the Registrar may make the nomination. No legal practitioner may be nominated an arbitrator by any party.

(c) In such proceedings the Registrar, the arbitrator or arbitrators shall have power to administer oaths, to require the attendance of all parties concerned and of witnesses and to require the production of all books and documents relating to the matter of the dispute, by a summons delivered orally or sent by hand or by registered post or through the nearest Civil Court having jurisdiction in the area in which the society operates and shall further have power to order the expenses of determining the dispute to be paid either out of the funds of the society or by such party or parties to the dispute as he may think fit.

(d) After hearing the parties to the dispute and examining such witnesses and documentary evidence as may be produced, the Registrar or arbitrator or arbitrators shall give a decision or award in writing, and where there are three arbitrators the opinion of the majority shall prevail. In the absence of any party, duly summoned to attend, the dispute may be decided against him in default. A decision or award shall on application to any Civil Court having jurisdiction in the area in which the society operates be enforced in the same manner as a decree of such Court.

(e) In proceedings before the Registrar, or arbitrator or arbitrators no party shall be represented by a legal practitioner.

23. The following procedure shall be adopted by a liquidator appointed under section 42 of the Act:—

*Procedure to be followed by liquidator.*—(a) On cancelling the registration of a society the Registrar shall publish, in the *Residency Orders*, a notice requiring claims against the society to be submitted within one month to him or to such person as he may name liquidator. All liabilities recorded in the books of any society shall be deemed *ipso facto* to have been duly notified.

(b) When the registration of a society is cancelled under section 40 of the Act or when no appeal has been made under clause 2, section 39 of the same Act against the order of the Registrar under that section cancelling the registration of a society, or when such appeal has been dismissed, the liquidator shall forthwith take charge of the books of the society in order to take necessary steps to wind up its affairs.

(c) If necessary the liquidator may institute suits for the recovery of sums due to the society.

(d) The liquidator shall proceed to determine the assets and liabilities of the society as they stood at the time of the cancellation of its registration, and shall determine the contributions to be made by the members and past members respectively to the assets of the society. He shall also determine by what persons and in what proportion the cost of the liquidation are to be borne.

(e) The liquidator may issue a summons to any person whose attendance is required, either to give evidence or produce documents. He may compel the attendance of any person to whom a summons is issued and for that purpose issue a warrant for his arrest through the Civil Courts exercising jurisdiction in the area in which the society operates.

(f) The liquidator shall send all such processes for service to the Civil Court having jurisdiction in the area in which service is to be effected. The Court shall proceed as if such processes have been issued by it and shall return them to the liquidator with a report of service.

(g) The liquidator shall keep short notes of the depositions of the persons thus summoned to give evidence.

(h) He shall make an order noting the names of members and past members of the society and the amount to be realised from each as contribution under clause (b), sub-section (2) of section 42, and as costs of liquidation under clause (d) of the same sub-section. This order shall be submitted to the Registrar for his approval, and he may modify it or refer it back to the liquidator for further enquiry or other action.

(i) A copy of the order as finally approved by the Registrar accompanied, if necessary, by a list of the property of each member or past member against whom a decree has to be enforced shall be filed in the Civil Court having local jurisdiction to be enforced as laid down in clause (a), sub-section (5), of section 42.

(j) If the Civil Court is unable to recover the sum assessed against any member or members the liquidator may frame a subsidiary order or orders against any other member or members to the extent of the liability of each of the debts of the society until the whole amount due from the members is recovered and these orders shall be executed in the same way.

(k) The liquidator shall submit to the Registrar a quarterly report in such form as the Registrar may prescribe, showing the progress made in the liquidation of the societies placed under his charge.

(l) All funds in charge of the liquidator shall be deposited in the Post Office Savings Bank or with such other bank or person as the Registrar may approve.

(m) After recovery of the dues of the society and the realisation of the contribution from the members, and past members, the liquidator

shall, after meeting the liabilities of the society, wind up its affairs and submit a final report to the Registrar.

(n) The Registrar shall fix the amount of the fee, if any, to be paid to the liquidator.

(o) The appointment of a liquidator shall be published in the *Residency Orders*.

(p) No appeal shall lie from any order of the liquidator under section 42.

### SCHEDULE.

*Form of application for registration as a co-operative society under Act II of 1912.*

1. Name of proposed society.
2. Situation of the place where society is to be located.
3. Address of society (including nearest post office).
4. State whether liability of members is to be limited or unlimited.
5. Application to register a society under the above name is hereby made by the persons whose names are submitted hereunder with their signature and particulars of age, profession, residence, etc.
6. With this application is sent a copy of the draft by-laws accepted by the applicants and signed by them.

*N.B.*—Ordinarily at least ten applicants should attest this application and the by-laws, and when a registered society is one of the applicants a duly authorized person on behalf of such society should sign the application and the by-laws.

(1)

*The draft by-laws.*

(2)

Number.	Name of applicant	Father's name.	Age.	Tribe, class or caste.	Profession.	Place of residence.	Property to which applicant has absolute right.	His debts.

INDIAN LUNACY ACT, 1912.

*Magistrate empowered under the Act.*

No. 33-J., dated the 17th March, 1926.—In exercise of the powers conferred on him by section 3, sub-section 6, of the Indian Lunacy Act, 1912 (IV of 1912), as applied to the Administered Areas in the Hyderabad State, the Resident is pleased to empower the Second Magistrate, Secunderabad, to perform the functions of a Magistrate under the Act within the said areas.

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 41.]

*Admission of Lunatics to asylums in British India.*

No. 47-J., dated the 18th May, 1929.—In exercise of the powers conferred by section 85 of the Indian Lunacy Act, 1912 (IV of 1912), as amended by the Devolution Act, 1920 (XXXVIII of 1920), and as applied to the Administered Areas in the Hyderabad State, the Resident is pleased to direct that any Magistrate or Court exercising jurisdiction in the said areas may send lunatics to the asylums at Madras, and at Poona and Naupada in the Bombay Presidency.

[*Hyderabad Residency Orders*, 1929, Pt. I, p. 72.]

THE WILD BIRDS AND ANIMALS PROTECTION ACT, 1912.

*Close time.*

No. 102, dated the 23rd November, 1912 \* \* \*

<sup>1</sup>(c) The "Breeding season" means in the case of a—

- (1) Bustard. From 1st June to 30th September.
- (2) Florican. From 1st August to 31st October.
- (3) Painted sand grouse. From 1st April to 30th June.
- (4) Common sand grouse. From 1st April to 30th June.
- (5) Pea-fowl. From 1st June to 31st August.
- (6) Painted partridge. From 1st June to 30th September.
- (7) Grey partridge. From 1st March to 30th June.
- (8) Grey jungle fowl. From 1st March to 30th June.
- (9) Red jungle fowl. From 1st March to 30th June.
- (10) Painted spur fowl. From 1st March to 31st May.
- (11) Red spur fowl. From 1st March to 30th June.
- (12) Hare. From 1st June to 30th September.

[*Hyderabad Residency Orders*, 1912, Pt. I, p. 172.]

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<sup>1</sup> This Notification issued under the Wild Birds Protection Act, 1887, as applied to the Administered Areas and has now been superseded, except the portion here printed, by Act VIII of 1912 as applied to the same areas by Notification No. 260-I., dated the 24th April, 1929. Printed *supra*, page 27.

INDIAN MOTOR VEHICLES ACT, 1914.

*Hyderabad Residency Motor Vehicles Rules, 1926.*

No. 84-J., dated the 1st September, 1926.—In exercise of the powers conferred by Section 11 of the Indian Motor Vehicles Act, 1914 (VIII of 1914), as applied to the Administered Areas in the Hyderabad State, and in supersession of the Hyderabad Residency Orders Notification No. 1-J., dated the 4th January, 1922, the Resident is pleased to make the following rules to regulate the use of motor vehicles in the said areas:—

RULES APPLICABLE TO ALL MOTOR VEHICLES.

CHAPTER I.—*Preliminary.*

1. *Short title, extent and definitions.*—(1) These rules may be called the Hyderabad Residency Motor Vehicles Rules, 1926.

(2) They shall extend to all the Administered Areas in the Hyderabad State.

(3) In these rules.

(a) “registering authority” shall in the case of the Hyderabad Residency Bazars, the Cantonment of Secunderabad and the Railway lands in the Hyderabad State which are under the administration of the Resident at Hyderabad, mean the District Superintendent of Police, Secunderabad, and in the case of the Cantonment of Aurangabad, the Executive Officer of the Cantonment.

Provided that in the case of military motor vehicles registered at Army Head Quarters by the Quarter Master General in India, when driven by persons who have been enlisted for military service, the registering authority means the General Officer Commanding, Poona District, and if such General Officer so directs any Officer Commanding a Mechanical Transport Unit acting under him.

(b) “the Act” shall mean the Indian Motor Vehicles Act, 1914 (VIII of 1914), as applied to the areas aforesaid.

(c) the expression “motor cycle” means a two, three or four wheeled cycle propelled by mechanical means, fitted with seats, but without a carriage body (which includes a side car) and weighing not more than 5 cwt.

(d) *Heavy Motor Vehicles.*—The expression “heavy motor vehicle” means a motor vehicle exceeding two tons in weight, unladen.

(e) *Trailer.*—The expression “trailer” means any vehicle drawn by or attached to a motor vehicle.

(f) *Axle weight.*—The expression “axle weight” means, in relation to an axle of a heavy motor vehicle or of a trailer, the aggregate weight

transmitted to the surface of the road or other base whereon the heavy motor vehicle or the trailer moves or rests by the several wheels attached to that axle when the heavy motor vehicle or trailer is loaded.

(g) *Registered axle weight*.—The expression “registered axle weight” means, in relation to an axle of a heavy motor vehicle, the axle weight of that axle as registered by the licensing authorities in pursuance of these rules.

(h) *Weight*.—The expression “weight” in relation to a heavy motor vehicle or trailer when unladen, means the weight of the vehicle exclusive of the weight of any water, fuel or accumulators used for the purpose of propulsion.

(i) *Width*.—The expression “width” in relation to the tyre of a wheel, means the distance measured horizontally and in a straight line across the circumference of the wheel and between the two points in the outer surface of the tyre which are farthest apart.

(j) *Diameter*.—The expression “diameter”, in relation to a wheel, means the diameter measured between the two opposite points in the outer surface of the tyre which are farthest apart.

(k) *Motor bus*.—The expression “motor bus” means a motor vehicle which is let or plies for hire having seating accommodation for eight or more passengers including the driver and conductor and is not fitted with a taxi meter.

## CHAPTER II.—*Driving Licenses*.

2. *Driving license*.—(1) A license to drive a motor vehicle shall be granted by the registering authority, to any person who can satisfy such authority that he is a competent and careful driver and is not deaf or dumb or physically incapacitated in any way or under eighteen years of age.

Such license may be for driving motor vehicles generally or may be restricted to motor cycles, or to motor vehicles excluding heavy motor vehicles.

Provided that, on satisfying the registering authority that he is competent to drive motor vehicles other than motor cycles, any holder of a license restricted to motor cycles may have the license endorsed for motor vehicles generally or for motor vehicles other than heavy motor vehicles without payment of further fee.

(2) Such license shall be valid in the areas mentioned in clause (2) of rule 1.

(3) A driving license granted in accordance with any rule in force for the time being in any province of British India, in the Hyderabad State or in any other State in India which has adopted the British



Indian Motor Vehicles Act, 1914 (VIII of 1914), as the State Law shall be valid up to the date of its expiry throughout the Administered Areas in the Hyderabad State.

3. *Fees for licenses and permits.*—(a) The fee for licenses granted under Rule 2 shall be—

	Rs.
For a driving license . . . . .	10
For each renewal of a driving license if renewed within fifteen days from the date of its expiry . . . . .	2
For a duplicate license . . . . .	1

(b) A driving license will not be renewed after fifteen days from the date of its expiry, but no person shall be debarred from obtaining a fresh license on payment of Rs. 10 merely by reason of his former license having expired without renewal.

(c) *Period of driving license.*—Every driving license shall remain in force from the date on which it is granted till the thirty-first day of March following but shall be renewable and the same provisions shall apply to the renewal of the license as apply to the grant thereof.

4. *Cancellation or suspension of driving license.*—A driving license granted under rule 2 may be cancelled or suspended by a written order for a period not exceeding one year by the authority by which it was granted and for reasons to be recorded by such authority:

Provided that the driver shall have a right of appeal to the District Magistrate within thirty days from the date on which the order of cancellation or suspension of his license was communicated to him.

[4-A. The District Superintendent of Police at Secunderabad shall, on or before the thirty-first day of January in each year, pay to the credit of the Secunderabad Cantonment Fund and the Hyderabad Residency Bazars Fund, the balance, after all expenses incurred in administering the Act in the Cantonment of Secunderabad (which for the purposes of these rules includes the Railway lands under the control of the Resident) and the Hyderabad Residency Bazars, have been defrayed in proportion to the income of each of the two areas, of the fees received by him for licenses granted by him under rule 2 in the preceding calendar year.]

### CHAPTER III.—Registration.

5. *Registration.*—(1) No motor vehicles shall be used (save in accordance with Rule 12 or for the purpose of procuring registration)—

(a) unless it has been registered by the registering authority, and

(b) unless the registration certificate granted in respect of it is in force.

<sup>1</sup> Added by Notification No. 35-A, dated the 6th May, 1927. *Hyderabad Residency Orders, 1927, Pt. I, p. 53.*

(2) A registration certificate granted in respect of a heavy motor vehicle in accordance with these rules shall expire on the 31st December in the year in which it was granted but shall be renewable.

(3) Registration certificates granted in respect of heavy motor vehicles before the 1st September 1926 shall expire on the 31st December 1926.

(4) Notwithstanding anything in this rule any registration certificate granted under any enactment for the time being in force in any part of British India, in the Hyderabad State or in any other State in India which has adopted the British Indian Motor Vehicles Act, 1914 (VIII of 1914), as the State Law, shall be valid in the Administered Areas until the date of its expiry.

Provided that a registration certificate granted in respect of a heavy motor vehicle shall expire on the 31st December of the year in which it is brought into the said areas.

6. *Fee for registration.*—The fee for registration shall be four rupees for motor cycles, sixteen rupees for motor vehicles of two tons and under, and thirty-two rupees for motor vehicles exceeding two tons. A fee of sixteen rupees shall be charged for the renewal of a registration certificate in the case of a heavy motor vehicle and a fee of one rupee shall be charged in any case for the grant of a duplicate registration certificate.

Provided that traction engines used solely for agricultural purposes shall be registered free of charge, and steam rollers, fire engines and fire escape tenders need not be registered.

7. *Distinguishing numbers.*—The registering authority shall assign a distinguishing number to the motor vehicle with the name of the registering centre in front, *viz.* :—

S. C. for Secunderabad and Railway lands.

R. B. for Residency Bazars.

A. C. for Aurangabad.

8. *Particulars as to distinguishing numbers.*—(a) Numbers assigned to motor vehicles shall be shown in white on a black ground except in the case of motor vehicles to be let or plied for hire when they shall be shown in white on a red ground.

(b) The numbers shall be exhibited in Urdu on the front and in English on the back of the motor and on the back of any vehicle drawn by the motor vehicle, and shall be of the following dimensions :—

*English figures.*—Height of each figure  $3\frac{1}{2}$  inches, uniform thickness  $\frac{3}{4}$  inch, each figure occupying a space of  $2\frac{1}{2}$  inches with one inch between each figure, and a margin of  $\frac{1}{2}$  inch at the top, bottom and sides of the plate.

*Urdu figures.*—Height of each figure  $3\frac{1}{2}$  inches, each figure occupying a space of  $2\frac{1}{2}$  inches with one inch between each figure, and a margin of  $\frac{1}{2}$  inch at top, bottom and sides of the plate.

Provided that in the case of motor cycles the number may not be less than two-thirds of the above dimensions.

(c) The numbers shall be painted on a plate rigidly affixed in a conspicuous place on the front and back of the motor vehicle and on the back of any trailer.

Provided that the number for the back of a motor vehicle or trailer may be painted on any conspicuous smooth surface, such as the petrol tank, that may be available for the purpose, instead of on a plate.

(d) No number shall in any way be obscured or rendered or allowed to become not easily discernible at a reasonable distance.

(e) In the case of a motor tricycle or motor bicycle the front number plate shall have duplicate faces and shall be fixed to the front of the cycle so that from whichever side the cycle is viewed the letters or figures on one or other face of the plate may be easily distinguishable from the front of the cycle.

9. *Register.*—The registering authority shall establish and keep a register (hereinafter referred to as the “Register of Motor Vehicles”) for the registration of motor vehicles in which the name and address of the owner together with a description of the vehicle will be recorded and such register shall be kept in two parts, *viz.*:—

(a) A Register of Motor Cars and Cycles.

(b) A Register of Heavy Motor Vehicles.

Persons applying for copies of particulars of any car registered in the said registers shall pay eight annas for a copy with a maximum of Rs. 3 when copies of particulars of more than one car are applied for by the same person at the same time.

10. *Requirements before Registration.*—Before registering a motor vehicle, the registering authority shall be satisfied—

(a) that it is provided with two independent brakes or other means of stoppage in good working order and of such efficiency that the application of either is capable of promptly stopping the motor vehicle whether going forwards or backwards.

(b) in the case of internal combustion engines, that no cutout, fitting or other apparatus or device for allowing the exhaust gases from the engine to escape into the atmosphere, without first passing through a silencer, expansion cham-

ber or other contrivance suitable and efficient for reducing, as far as may reasonably be practicable, the noise which would otherwise be caused by the escape of the said gases, shall be used.

- (c) if such motor vehicle is propelled by steam, that—
  - (i) it is so constructed as to consume its own smoke as far as practicable.
  - (ii) it is fitted with an efficient “ spark arrester ”.
- (d) if such motor vehicle is propelled otherwise than by steam, that it is so used that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause.
- (e) that it is provided with efficient mudguards.

11. *Heavy motor vehicle requirement before Registration.*—(1) Before registering a heavy motor vehicle the registering authority shall also satisfy himself that the tyres of the wheels of the vehicle, if the tyres are not pneumatic, or are not made of a soft or elastic material, are of the dimensions required by the special rules for heavy motor vehicles, and may also have the weight of the heavy motor vehicle, and if he thinks necessary, the axle weight of each wheel ascertained in such manner as he may by general or special order direct.

(2) Heavy motor vehicles shall be provided with a mirror so situated that the driver can have a distant view of traffic approaching from behind on his right hand.

12. *Dealer's Numbers.*—The registering authority may assign to a manufacturer of, or dealer in, motor vehicles, on payment of an annual fee of thirty rupees a general number which, together with a distinguishing alphabetical letter of the same dimensions as the numbers, shall be affixed as laid down in rule 8 to any motor vehicle when on trial after completion, or when on trial by an intending purchaser. Such figures should be shown in black on a white ground.

13. *Dealer's Register.*—Such manufacturer or dealer shall keep a register in such form as the registering authority may direct showing the name of the driver and the hours and dates on which he was in charge of the vehicle. He shall also keep a register in which the numbers of all registered cars in his possession shall be entered up showing the date on which such cars were received into his possession.

On demand such registers shall be open to inspection by any police officer above the rank of Sub-Inspector, except in Aurangabad where the Executive Officer may inspect them.

14. *Transfer of ownership.*—Every transfer of ownership and every temporary transfer of possession of a motor vehicle shall forthwith be

intimated to the registering authority both by the registered owner and by the transferee.

Provided that no intimation shall be required for temporary transfers for a period not exceeding one month.

The word “transferee” includes the purchaser, dealer, auctioneer, receiver, agent, repairer or any person who may be in temporary charge of the vehicle for the time being.

15. *Intimation of change of circumstances.*—If any circumstances (other than those mentioned in Rules 14 and 30) occurring in relation to any motor vehicle, affect the accuracy of any particulars entered as regards that car in the Register of Motor Vehicles, the owner of the motor vehicle shall forthwith inform the registering authority with whom it has been registered.

16. *Subsequent defects.*—Where the registering authority, at any time after a motor vehicle has been registered, considers, that it has ceased to comply with the requirements of the Act or the rules made thereunder or that it has not been maintained in such a condition as to prevent danger to the public, such registering authority may, after notice to the registered owner, direct that the registration be cancelled until such time as the defects are rectified to its satisfaction.

#### CHAPTER IV.—General.

17. *Rule of the road.*—(1) A motor vehicle shall be driven in accordance with the rules of the road which require a vehicle to keep on the left of the road except when passing horses and other vehicles going in the same direction which should be passed on the right.

(2) The driver of a motor vehicle when turning into a side street, if to the left shall keep close to the corner, if to the right shall make a wide curve.

The following signals shall be used by drivers of motor vehicles:—

(a) If a car is proceeding straight forward no signal will be given.

(b) *Turn to right.*—Right arm to be held in horizontal position at right angles to direction in which the vehicle is proceeding.

(c) *Stop.*—Raise hand vertically palm to the front.

(d) *Slow down.*—right arm horizontal, palm down, hand waved up and down.

(e) *Invitation to Overtake.*—Right arm held below horizontal and waved from rear to front.

(3) Sounding of a whistle by a traffic Police Constable is a warning signal for a vehicle to stop.

(4) A motor vehicle entering a main road from a branch or side road should enter the main road slowly and give way to vehicles travelling on the main road.

(5) Every driver of a motor vehicle shall obey any reasonable directions by a Police Officer.

18. *Speed limits.*—(1) No motor vehicle shall be driven at a greater speed than twenty-five miles an hour within the limits of the areas referred to in rule 1 (2).

Provided that at night, where the road is unlighted by street lamps and at all times in the neighbourhood of railway stations and crossings, cross-roads, side streets, curving road (when the road in front cannot be seen), in dense traffic, in passing over narrow bridges or by a road entrance to private grounds or through or near any road-side village, or in the proximity of a toll gate, the driver shall reduce that limit to such speed that the vehicle can be brought to a standstill within a distance of 5 yards, and

Provided also that in such places as the District Magistrate may think necessary he may indicate by means of notice boards that motor drivers shall not allow the speed to exceed six miles an hour or such higher rate as may be shown on the board.

(2) The speed at which a heavy motor vehicle is driven on any public road shall not exceed eight miles an hour.

Provided that—

(a) if the weight of the motor vehicle unladen exceeds three tons, or

(b) if the registered axle weight of any axle exceeds six tons, or

(c) if a trailer is attached to the heavy motor vehicle

the speed shall not exceed five miles an hour.

Provided also that—

If the heavy motor vehicle has all its wheels fitted with pneumatic tyres or with tyres of a soft or elastic material, the speed at which the heavy motor vehicle may be driven on any public road shall not exceed—

(a) twelve miles an hour where the registered axle weight of any axle does not exceed six tons;

(b) eight miles an hour where such registered axle weight exceeds six tons.

19. *Prohibition as to use of motor vehicles on foot-path and in certain localities.*—A motor vehicle shall not be driven in any footway, nor shall a motor vehicle be driven in any road or public place where such traffic may, for the time being, be prohibited by the District

Superintendent of Police with the approval of the Magistrate of the District.

20. *No motor vehicle to tow a bicycle.*—The driver or person in charge of a motor vehicle shall at no time cause or permit whilst the motor is in motion, any person riding a cycle to be towed or drawn along by such motor vehicle.

21. *No motor cycle to carry an extra passenger except in certain cases only.*—The person driving or riding a motor cycle without a side car attached shall not cause or permit any other person to be carried on the motor cycle except on a specially constructed pillion seat which shall be approved of by the registering authority.

22. *Motor vehicles to carry horns.*—Every person driving a motor vehicle shall have ready and available for immediate use a suitable deep toned horn or, in the case of a heavy motor vehicle, a suitable gong capable of giving audible and sufficient warning of his approach or position, and shall sound the same whenever expedient to prevent danger to any of the public.

23. *Electric devices, etc.*—No electric or mechanical devices for magnifying the sound, no sirens, whistles, multiple horns or devices of a like nature shall be used in any road or street where such devices may from time to time be prohibited by the District Superintendent of Police.

24. *Motor vehicles to carry lamps.*—No person shall drive a motor vehicle during the period commencing half an hour after sunset and ending half an hour before sunrise unless such vehicle is provided with lights as follows:—

(1) In the case of heavy motor vehicles and of motor cars and motor tricycles and in the case of motor cycles with side-cars attached—

- (a) one lamp showing a white light in front shall be affixed on each side of the front portion of the vehicle. In the case of motor cycles with side-cars one lamp should be fixed on the cycle and one on the outer side of the side-car.
- (b) one lamp showing a red light at the rear and showing a white light at the side shall be affixed at the back of the vehicle in such manner as to illuminate with the white light and render easily distinguishable the number of the vehicle. In the case of a motor cycle with a side-car, such lamp shall be attached to the motor cycle.

(2) In the case of motor cycles without side-cars:—

One lamp showing a white light in front so fixed as to illuminate and render clearly visible the numbers on both sides of the front number plate shall be attached to the front portion

of the vehicle and one lamp showing a red light at the rear and showing a white light at the side shall be attached at the back of the vehicle in such a manner as to illuminate with the white light and render easily distinguishable the number of the vehicle.

(3) In all cases:

(a) The lamps shall be of suitable character and illumination.

(b) The lamps shall be kept properly alight.

(4) The registering authority, may by special notification in two or more local papers or in any other suitable manner prohibit within any local limits—

(a) the use of acetylene or electric lamps or lamps of any description giving a powerful and intense light or

(b) the use of such lamps unless they are properly hooded or screened to the satisfaction of the registering authority.

(5) No light other than a white light shall be carried in front of a motor vehicle without special permission of the registering authority.

25. *Use of lamps.*—Every lamp carried by a motor vehicle when in use on a road or street at any time during the period mentioned in rule 24 shall be so constructed, fitted and attached as to prevent its being moved about or used as a search light.

26. *Maintenance.*—No person shall drive a motor vehicle—

(a) unless it is at all times under full control so as to prevent undue interference with passenger or other traffic and unless it is maintained in such a condition as to prevent danger to the public;

(b) if such motor vehicle is propelled by steam, unless

(i) it is so constructed as to consume its own smoke as far as practicable,

(ii) it is fitted with efficient “spark arresters”;

(c) if such motor vehicle is propelled otherwise than by steam, unless it is so used that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause;

(d) unless it is provided with efficient mudguards.

27. *Standing in streets, etc.*—No motor vehicle shall be allowed to stand in any street or public place unattended by a person licensed under section 6 of the Act, unless all reasonable precautions have been taken to ensure that it cannot be put in motion in the absence of the driver, or,



if such motor vehicle is propelled by steam, unless its fires have been extinguished and it has ceased to contain in itself sufficient power to move. No driver shall leave such vehicle while the engine is in action.

Every motor vehicle standing in a public place shall carry at night a lighted rear lamp as prescribed in these rules, provided that if it stands in a place where it is clearly visible the use of a lighted rear lamp will not be necessary.

28. *Driving while intoxicated*.—No person shall, when intoxicated, drive a motor vehicle in a public place.

29. *Travelling backwards*.—The driver of a motor vehicle shall not cause the vehicle to travel backwards for a greater distance or time than may be requisite for purposes of safety or in order to turn round, and such movement shall not take place until such driver has ascertained that the road behind is clear of all traffic.

30. *Change of address*.—(1) Intimation of any change of address shall be given by the owner of every motor vehicle to the registering authority and in the case of an owner leaving his own province, to the registering authority of the province which the owner proposes visiting. Such intimation shall also be given by every holder of a license, who drives a motor vehicle, to the authority empowered to grant licenses.

(2) For the purpose of this rule, the address of such owner or holder shall be deemed to be changed when such person ordinarily resides elsewhere than at the address entered in the license or certificate of registration.

31. *Drivers*.—Every owner of a motor vehicle who employs any person to drive such motor vehicle shall, at the request of the registering authority or the authority empowered to grant licenses, or any officer empowered in this behalf by any such authority, communicate to such authority the name and address of such driver, or, if he is unable to do so, shall assist such authority to the best of his ability in discovering the same.

32. *Owners and drivers*.—Every owner of a motor vehicle shall, at the request of the registering authority or the authority empowered to grant licenses or any officer empowered in this behalf by any such authority, communicate to such authority any information required by him in connection with the motor vehicle which he in the course of his duty may desire to obtain with regard to—

- (a) Accidents.
- (b) Transfer of ownership.
- (c) Material alteration in appearance.
- (d) Driving licenses.

33. *Plying or letting for hire.*—No person shall ply or let for hire a motor vehicle unless it is first registered in accordance with rule 5 of these rules and unless it complies with the special regulations made for the regulation of vehicles let or plying for hire.

34. *Motor competition or reliability trials.*—No motor competition, reliability trial, display or exhibition, in which more than five motor vehicles take part, shall be permitted on any public road without the previous sanction of the Resident.

35. *Responsibility for conforming to rules.*—No person shall drive or have charge of or cause or permit to be used any motor vehicle which does not in all respects conform to these rules, or which is driven or used so as to contravene any of these rules.

<sup>1</sup>[36. *Report of accidents.*—The driver of a motor vehicle shall give all possible immediate assistance to any person injured in any accident caused by his vehicle, and shall, if necessary, help in conveying him to the hospital; he shall then report to the nearest Police Station at the earliest opportunity the occurrence and the action taken by him. If in any accident more motor vehicles than one are concerned, the responsibility for making the report to the Police attaches separately to the driver of each such vehicle.]

#### *Notice boards and danger signals.*

37. *Notice boards and danger signals.*—(1) All notice boards posted on the sides of the roads under these rules or under section 12 of the Act shall be painted red with the notices inscribed in white letters sufficiently large to be easily legible.

(2) (a) Danger signals shall display clearly in white on a red ground in the shape of an equilateral triangle with sides 20 inches long conventional signs for Dangerous Crossings, Turnings, etc.

(b) In every case a plate not less than 17 inches long by 5 inches in depth, bearing in white letters on a red ground the word "Caution" shall be affixed at a distance of 3 inches below plate bearing the conventional sign.

(c) Such signals shall be posted as nearly as may be at a distance of 75 yards from the obstructions which they are meant to point out. In cases where this is impracticable there shall be affixed immediately below the caution plate a plate showing in white letters 3 inches high on a red ground the distance in yards between the signal and the obstruction.

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<sup>1</sup> Substituted by Notification No. 17-J., dated the 14th March, 1928. *Hyderabad Residency Orders*, 1928, Pt. I, p. 80.

CHAPTER V.—*Special rules for heavy motor vehicles.*

38. *Registration of weights.*—On every application to a registering authority for the registration of a heavy motor vehicle the applicant shall declare—

- (a) the weight of the heavy motor vehicle unladen.
- (b) the axle weight of each axle.
- (c) the diameter of each wheel.

39. *Registered weight to be printed on the vehicles.*—Upon receiving from the registering authority a copy of the entries made in the register relating to a heavy motor vehicle or trailer, the owner of the motor vehicle shall cause:

- (a) the highest rate of speed at which in conformity with the rules the heavy motor vehicle may be driven without a trailer,
- (b) the registered weight of the heavy motor vehicle or trailer unladen, and
- (c) the registered axle weight of each axle,

to be printed or otherwise plainly marked in letters not less than one inch in height, and in such a manner as to be legible at a reasonable distance, in the case of (b) and (c) upon some conspicuous part of the right or off side of every heavy motor vehicle or trailer and in the case of (a) on the left or near side.

This rule shall not apply to trailers not exceeding one ton in weight unladen.

40. *Axle weight.*—(i) The axle weight of an axle of a heavy motor vehicle shall not exceed the registered axle weight.

(ii) The registered maximum axle weight of any axle of a heavy motor vehicle shall not exceed seven tons, and the axle weight of a trailer shall not exceed three tons.

(iii) The sum of the registered axle weights of all the axles of a heavy motor vehicle shall not exceed ten tons.

41. *Tyres.*—The tyres of each wheel of a heavy motor vehicle or trailer, unless the tyres are pneumatic or made of a soft or elastic material; shall be smooth and shall, where the tyre touches the surface of the road or other base whereon the heavy motor vehicle moves or rests be flat, provided that the edges of the tyre may be bevelled or rounded to the extent in the case of each edge of not more than half an inch.

Provided also that—

If the tyre is constructed of separate plates, the plates may be separated by parallel spaces which shall be disposed

throughout the outer surface of the tyre, so that nowhere shall the aggregate extent of the space or spaces in the course of a straight line drawn horizontally across the circumference of the wheel exceed one-eighth part of the width of the tyre.

42. *Width of tyre.*—The width of the tyre of each wheel of a heavy motor vehicle or trailer, unless the tyres are pneumatic or made of a soft or elastic material, shall in every case be not less than 5 inches, or in the case of a trailer, 3 inches.

When the axle weight of an axle of a heavy motor vehicle is—

3 tons the width of the tyre shall not be less than 8 inches.

4 tons            "            "            "            "            9 "

5 tons            "            "            "            "            10 "

6 tons            "            "            "            "            11 "

7 tons            "            "            "            "            12 "

43. *Size of wheels.*—The diameter of a wheel of a heavy motor vehicle or trailer, if the wheel is fitted with a tyre which is not pneumatic or is not made of a soft or elastic material, shall be not less than two feet.

44. *Width and length of vehicle.*—A heavy motor vehicle, if its weight unladen is three tons, and any trailer drawn by any such heavy motor vehicle may, when measured between its extreme projecting points, be of a width not exceeding seven feet six inches, and no heavy motor vehicle or trailer attached to it shall be used on any street or road if such motor vehicle exceeds 36 feet in length.

45. *Springs.*—Every heavy motor vehicle and trailer shall be constructed with suitable and sufficient springs between each axle and the frame of the heavy motor vehicle.

46. *Trailers.*—No heavy motor vehicle used on any street or road shall have attached to it more than one trailer. A trailer drawn by a motor vehicle shall have a brake approved by the licensing authority and the trailer shall carry upon it a person competent to apply the brake efficiently, provided that where the brakes upon the motor vehicle by which the trailer is drawn are so constructed and arranged that neither of them can be used without bringing into action simultaneously the brake attached to the trailer, or if the brake of the trailer can be applied from the motor vehicle independently of the brakes of the latter, the above conditions need not be complied with.

47. *Vehicles for the conveyance of passengers.*—A heavy motor vehicle which is used as a public conveyance shall not draw a trailer.

48. *Use of motor vehicles on bridges.*—(i) Where the registering authority affixes or sets up in suitable and conspicuous positions, on each approach to a bridge, forming part of a highway, notices which, as regards all their contents or subject-matter, shall be clearly and distinctly legible and visible by persons approaching the bridge, and which state that the bridge is insufficient to carry a heavy motor vehicle, the registered axle weight of which exceeds that specified in the said notice board, the owner of any such heavy motor vehicle shall not cause or suffer the motor vehicle to be driven, and the person driving or in charge of the motor vehicle shall not drive the motor vehicle upon the bridge.

(ii) The owner of the motor vehicle shall not cause or suffer the motor vehicle to be driven, nor shall the person driving or in charge of the motor vehicle drive the motor vehicle upon a bridge forming part of a highway at any time when another motor vehicle or a locomotive is on the bridge, the combined weights of which would exceed the carrying capacity of the bridge.

49. *Attendance on heavy motor vehicles*—When a heavy motor vehicle is used on any road or street, two persons shall be employed in driving or attending to such vehicle.

50. *Attendance on traction engines.*—Every traction engine must have three persons in attendance, two persons to attend to the traction engine and one person to be on watch and ready to help any person with horses and carriages meeting or overtaking the traction engine and to attend to the trailers.

51. *Prohibition of the use of heavy motor vehicles on certain road.*—No heavy motor vehicle shall be driven in any street or road, wherein such traffic may for the time being be prohibited by the District Magistrate.

#### CHAPTER VI.—*Special Rules for Motor Vehicles let on hire.*

52. The following rules shall apply to motor vehicles let on hire.

53. Such of the rules in Chapters I to V of the rules as are not inconsistent with the provisions of the following rules, shall also apply to motor vehicles let on hire.

54. No motor vehicle shall be let on hire within the areas referred to in rule 1 (2) without a permit granted by the registering authority in Form G. The registering authority shall enter on such permit the maximum number of passengers and quantity of luggage which may be carried at any one time in such vehicle. A fee of Rs. 5 shall be charged for the permit.

55. Subject to rule 56, the permit shall remain in force from the date on which it is granted until the 31st December following and shall

not be transferred to any person without sanction duly endorsed thereon by the registering authority.

56. A motor vehicle shall be liable to examination at such times as the registering authority, may prescribe, and the permit may be suspended or cancelled by him, if the vehicle does not comply with the requirements of these rules or with those in Chapters I to V.

57. The owner of a motor vehicle shall maintain regularly a register in such form as the registering authority may direct showing the name of the driver and the hours and dates on which the driver was in charge of the motor vehicle.

58. A Schedule of rates for the fare or hire shall be fixed by the owner and notified by him to the registering authority at the time of taking out an owner's permit. It shall be competent for the owner to fix charges for detention and for the carriage of luggage and to reserve to himself the right to fix a lump sum contract for any journey not covered by the schedule of rates. No change in these rates shall be made without one month's notice to the registering authority and a schedule of these rates in English and Urdu shall be carried on every motor vehicle for hire and be shown on demand.

59. Every motor vehicle intended to be licensed for hire within the areas referred to in rule 1 (2) must be taken to the office of the registering authority for inspection. The owner or person in charge of such motor vehicle shall at the same time produce the certificate of registration of the motor vehicle under Chapter III of these rules, and also a certificate from the maker or maker's agent or an approved local motor firm that such motor vehicle is in every way fit for use as a public conveyance and that its machinery is safe and is in good working order and condition.

60. The brakes shall, as far as possible, be so affixed as to be capable of easy adjustment, and at least one brake must be so made as to be applied by the foot of the driver. At least one should act directly upon the road wheels without any connection with the propelling gears. The brakes will at any time be subject to inspection.

61. All brakes and steering connections secured with bolts must have such bolts secured with nuts and locked or pinned. These parts will at any time be subject to inspection.

62. The machinery should be so constructed that no undue noise or vibration is caused.

63. All parts connected by bolts or studs and nuts subject to severe vibration must be fastened by lock-nuts or by nuts and approved spring or lock-nut washers to prevent their working loose and making a rattling noise, and any motor vehicles with lamp brackets, mudguard brackets

and other carriage fittings so loose as likely to cause unnecessary noise will be regarded as unfit for use as a public conveyance.

64. Carburettors must not be placed in close proximity to magnetos or to connections of wires carrying electric current, unless they are suitably encased or screened.

65. Effective means must be adopted for preventing the heat of the motor or of the exhaust pipe connections from injuriously affecting other parts of the motor vehicle or the comfort of the passengers. All wires carrying electric current must be properly insulated and protected from injury, and so placed that they cannot be the cause of danger.

66. Tanks for petrol or other liquid fuel must be made of suitable material properly constructed and of sufficient strength. They should be so placed that any overflow shall not accumulate on wood work, or where it can be readily ignited. The filling nozzle or inlet for the petrol or other liquid fuel should, where possible be brought to the outside of the body.

67. When a guard or tray is fixed underneath, it must be so constructed that any overflow of petrol from the carburettor shall not be retained in the tray.

68. The machinery must be so constructed or placed that oil from the bearings shall not be allowed to drop on to the roadway. When trays are fixed to prevent this, they must have suitable webs for retaining the oil when ascending or descending hills or be otherwise suitably constructed with that object; the oil must be cleaned out frequently and not allowed to accumulate from day to day.

69. The lubrication of the engine and the carburation of the working mixture must be so controlled that smoke is not ejected with the exhaust, or from any other part.

70. The outlet from the silencer should not be so placed as to eject the exhaust directly on to the roadway, or so placed, or so directed as to alarm horses immediately behind the motor vehicle.

71. Each car must be capable of being readily steered and able to turn on each lock and proceed in a contrary direction within a reasonable space.

72. Every motor vehicle must be provided with an approved means of communication between the passenger and the driver. This should be placed as to be readily accessible to the passenger to obviate the danger of a driver having to turn his head whilst directions are being given.

Short tubes are not suitable.

N.B.—This rule applies to closed vehicles only.

73. Where acetylene or other gas is used to light the carriage, the cylinders or vessels which contain the gas, or in which it is generated must be fixed outside in such a position as to be removed as far as possible from the danger of accidental ignition.

74. The floor must be covered with mats of rubber, coir, or of some other suitable material.

75. No printed, written or other matter other than the sanctioned rates for hire or these rules shall appear on the inside or outside of the motor vehicle or be carried by way of advertisement.

76. No celluloid or xylonite fittings shall be placed inside or outside the motor vehicle but this rule does not apply to the inside of the accumulators, or to the windows and screens.

77. The cushions of seats, where such are provided, must be covered with suitable material, and must be stuffed with suitable material.

78. The doors, windows, seats, roof, springs, cushions, wheels, linings, panels, and all furniture and appurtenances of the motor vehicle must be in proper order and repair, the paint and varnish in good condition, and the inside perfectly clean.

<sup>1</sup>[79. (1) No driver of a motor vehicle shall refuse to give way (when he reasonably and conveniently may and should do so) to any other vehicle.

(2) No driver of, or any one employed on, a motor vehicle shall:—

(a) wilfully obstruct or hinder the driver of any other motor vehicle in taking up into or setting down any person from such other vehicle,

(b) wrongfully prevent, or attempt to prevent, the driver of any other motor vehicle from being hired,

(c) exact or demand more than the proper fare to which he is legally entitled,

(d) terminate the hiring before he has been discharged by the hirer,

(e) carry in the motor vehicle more than the number of passengers which the vehicle is licensed to carry.]

80. The registering authority, may in his discretion suspend or cancel any driver's license or owner's permit where the holder thereof has committed any breach of these rules.

Provided that the driver shall have a right of appeal to the District Magistrate within thirty days from the date on which the order of cancellation or suspension of his license was communicated to him.

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<sup>1</sup> Substituted by Notification No. 126-J., dated the 4th December, 1928. *Hyderabad Residency Orders*, 1928, Pt. I, p. 174.



81. *Spare tyre and tubes.*—Motor vehicles licensed under this Chapter shall carry with them at least one spare tyre and tube in working order, which can, if, necessary, be quickly fitted to any wheel.

CHAPTER VII.—*Taxi-cab Rules.*

82. Such of the rules in Chapters I to V of these rules as are not inconsistent with the provisions of the following rules and all the rules in Chapter VI shall apply to motor vehicles which ply for hire in public places.

83. (1) All such motor vehicles shall be fitted with a taxi-meter which shall be of an approved style or pattern indicating to the hirer the fare chargeable.

(2) No taxi-meter shall be affixed to any such motor vehicle unless the seal or mark, if any, approved by the registering authority, be fixed thereto.

(3) No person shall break or in any way tamper with the seal or mark placed on the taxi-meter, or, with intent to deceive, tamper with the taxi-meter.

84. Every taxi-meter to be used within the areas referred to in rule 1.(2) except the Cantonment of Aurangabad shall be tested at His Exalted Highness the Nizam's Mint.

85. Every taxi-meter which passes the test shall be sealed in such manner that it cannot be opened without removing the seals.

86. After the taxi-meter is affixed to a motor vehicle and before the vehicle is plied for hire the taxi-meter shall be submitted to the registering authority at his office, for the purpose of being examined as to the correctness of fittings and to be given a practical road test of about 5 miles and a time test of about fifteen minutes. If found to be correct, the whole of the fittings shall then be sealed to the motor vehicle in such a manner that they cannot be removed or tampered with without removing the seals.

87. Except in the Cantonment of Aurangabad, every taxi-meter shall at least once a year be sent to His Exalted Highness the Nizam's Mint to be tested, and as often as the seals are removed for repairs or adjustments or for any other purpose.

88. Every motor vehicle must have a light so fixed as to illuminate each time the meter or transmission gearing is removed or repaired.

89. Every motor vehicle must have a light so fixed as to illuminate the taxi-meter at night.

90. Provision must be made for the conveyance of a reasonable quantity of luggage and efficient means provided by chains, straps or

other means of securing it. When it is intended to carry luggage on the roof there must also be an approved fixed roof guard rail.

91. The driver when on duty with his taxi-cab shall wear in a conspicuous place on his left breast a metal badge which shall be numbered and supplied to him by the registering authority.

92. The taxi-driver shall not transfer or lend the license or badge to any person, and on suspension or cancellation of his driving license the license and badge shall be surrendered to the registering authority.

93. As often as the taxi-driver changes his residence he shall give notice thereof at the office of the registering authority, in writing, within one week after such change.

94. The drivers of the first two taxi-cabs on the stand must stay beside their vehicles and must be ready to be hired at once by any person.

Provided that a hirer wishing to hire any particular car on the stand may do so.

95. Every taxi-cab on the stand must move up as vacancies occur.

96. No taxi-cab engaged for some future time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered.

97. No disabled taxi-cab shall remain on the stand unless such disablement is strictly temporary and can be and is remedied at once. If the disablement is not of such a nature the vehicle shall be at once removed for repair.

98. No taxi-cab shall be suffered to stand across any street or thoroughfare or opposite the entrance of any street or carriage way.

99. No taxi-driver shall, without reasonable excuse, refuse to accept a fare when the flag is in a vertical position.

100. The driver of every taxi-cab shall, as soon as he is hired and no sooner, set the taxi-meter in motion, and upon the termination of the hiring shall immediately stop the same. If he neglects or fails to do so, he shall be deemed to have committed a breach of this rule. But if a taxi-cab is called from a garage or stand to take up a passenger at any place less than 500 yards from the garage or stand, the taxi-meter shall not be set in motion until the taxi-cab shall arrive at such place and be ready to take up the passenger.

101. The taxi-driver shall, in the absence of reasonable cause to the contrary, proceed to the destination named by the hirer by the shortest and quickest route.

102. In the event of a taxi-cab whilst hired being unable to proceed from any mechanical or tyre failure, either temporary or otherwise, the driver shall at once lower the flag to "Break Down" and shall not re-start the meter until such time as the defect is remedied.

103. No driver of a taxi-cab shall:—

- (a) stand (elsewhere than at some stand or other place appointed for the purpose) or loiter for the purpose of being hired, in or upon any public-street or road or place;
- (b) ply for hire any taxi-cab which is at the time unfit for public use;
- (c) shout in order to attract the attention of the public or of a possible hirer or, for any other reason act in such a way as to cause inconvenience or annoyance to the public; or
- (d) except at the request of the hirer, have the face of the taxi-meter covered or obscured at any time or under any circumstances;
- (e) make use of the taxi-cab in connection with or for the furtherance of prostitution, or act as a habitual procurer for prostitutes or live on the earnings of prostitutes.

104. The holder of an owner's permit granted for a taxi-cab to be plied for hire shall not knowingly make use of the taxi-cab, or cause it to be used, in connection with or for furtherance of prostitution, or act as a habitual procurer for prostitutes, or live on the earnings of prostitutes.

105. The taxi-driver shall be properly dressed in clean uniform of the description prescribed by the registering authority.

106. Every taxi-cab must be provided with a fire extinguisher.

107. Rates for the fare or hire of motor vehicles fitted with a taxi-meter and licensed to ply for hire shall be fixed from time to time by the District Magistrate in consultation with the owners. In case of disagreement the rates shall be referred to a committee of arbitration of which the president shall be appointed by the Resident, and the District Magistrate and owners shall nominate one member each.

#### CHAPTER VIII.—*Motor-bus Rules.*

108. The following rules shall apply to motor buses.

109. Such of the rules in Chapters I to VI of these rules as are not inconsistent with the provisions of the following rules shall also apply to motor buses.

110. Motor buses shall possess special permits in Form H appended to these rules granted by the registering authority. A fee of Rs. 10 shall be charged for the permit. The permit prescribed by rule 54 of these rules shall not be necessary in the case of motor buses.

111. Every motor bus shall besides a driver carry a conductor whose duty shall, in addition to any specially mentioned, be to attend on the

passengers and to see to the fulfilment of the Motor Vehicles Rules in all cases where the driver is not held responsible according to law.

112. Every conductor shall immediately after the completion of a trip carefully search for any property accidentally left in the bus and shall take the same within 24 hours, if not sooner claimed by the owner, to the nearest police station.

113. No person under the age of eighteen years shall act as a conductor of a motor bus in any public place.

114. No person shall act as a conductor of a bus unless he has from the proprietor of the bus a written authority which he should always retain while on duty. He shall exhibit such writing on demand to any police officer of the rank of Sub-Inspector or above or to any magistrate of or above the second class.

115. Every driver or conductor of a motor bus shall be in clean dress while on duty.

116. The driver of a bus shall wear in a conspicuous place on his left breast a numbered badge supplied to him free by the registering authority on an application made by the driver accompanied by the order of the proprietor appointing him as driver.

The driver shall surrender such badge on his ceasing to drive that particular bus, or on his license being suspended or cancelled or becoming time expired or on the 'H' permit being cancelled. If the badge is lost or not returned, the driver shall be liable to pay a charge of one rupee to the registering authority.

#### CHAPTER IX.—*Forms.*

117. *Declaration.*—Every application in Form A, C and F shall contain a declaration at the foot of the application.

118. *Application for license.*—Every application for a license under section 6 of the Act shall contain the particulars specified in Form A, and in the case of a professional driver or a driver of a motor vehicle let or plying for hire, shall be accompanied by two photographs of the applicant for the use of the registering authority.

119. *License.*—Every license granted under section 6 of the Act shall be in Form B, and in the case of a license granted to a professional driver or to a driver of a motor vehicle let or plying for hire, shall in addition bear a photograph of such driver.

120. *Application for registration.*—Every application for registration under section 10 of the Act shall contain the particulars specified in Form C.

121. *Registration certificate.*—Every registration certificate granted under section 10 of the Act shall be in Form D.

122. *Transfer certificate.*—Every transfer certificate granted under rule 14 shall be in Form E.

123. An application for a permit under rule 54 shall be made in Form F and the permit shall be granted in Form G.

124. An application for a permit under rule 110 shall be made in Form F and the permit shall be granted in Form H.

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FORM A.

APPLICATION FOR LICENSE TO DRIVE.

(See rule 118.)

Particulars to be given by applicant.

1. Full name of applicant.
2. Postal address of residence of applicant.
3. Whether applicant is over eighteen years of age.
4. Particulars of any license which applicant holds, or which he has previously held.
5. Particulars of any endorsement on any license which applicant holds, or which he has previously held.
6. Whether applicant has at any time been disqualified for obtaining a license. If so, particulars as to the Court or Government by whom, the date on which and the period for which the disqualification was imposed.
7. Whether applicant is a professional driver or drives or intends to drive a motor vehicle let or plying for hire.

*Dated*

*Signature.*

I hereby declare that the above particulars in relation to my application for license to drive are true to the best of my knowledge and belief.

*Dated*

*Signature.*

FORM B.

FORM OF DRIVING LICENSE.

(See rule 119.)

No. of 19 .

FEE RS. 10 ONLY.

RENEWAL FEE RS. 2 ONLY.

License to drive  
is granted under section 6 of the Indian Motor Vehicles Act 1914, as  
locally applied, to Mr.  
residing at  
Secunderabad  
(other place)

*Registering Authority.*

Date of expiry of license

in each year.

Date of renewal.	Date of expiry.	Signature of Registering Authority.
	19	
	19	
	19	

NOTE.—This license will be recognised as valid in other Provinces of British India, in the Hyderabad State and in any State in India which has adopted the British Indian Motor Vehicles Act, 1914 (VIII of 1914), as the State Law.

FORM C.

APPLICATION FOR REGISTRATION.

(See rules 5 and 120.)

1. Full name of owner.
2. Postal address of usual residence of owner.
3. Description of motor vehicle.
4. Maker's name or name by which the motor vehicle is ordinarily known.
5. Model of motor vehicle.
6. Year of manufacture.

7. Colour of body.
8. Number of seats.
9. Number of chassis.
10. Number on engine.
11. Maximum speed.
12. Number of cylinders.
13. Horse-power.
14. Whether intended for—
  - (a) private use.
  - (b) use for trade purposes.
  - (c) use as a public conveyance.

Additional for heavy motor vehicles.

15. Weight unladen  $\left\{ \begin{array}{l} \text{Vehicle.} \\ \text{Trailer.} \end{array} \right.$
16. Axle weight  $\left\{ \begin{array}{l} \text{Front.} \\ \text{Rear.} \end{array} \right.$
17. Diameter of wheels.
18. Width and material of tyres.

Dated 19 .

*Signature of Applicant.*

I hereby declare that the above particulars in relation to the motor vehicle or trailer to which my application relates are true to the best of my knowledge and belief.

*Signature.*

Dated

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FORM D.

REGISTRATION CERTIFICATE.

No. of 19 .

(See rules 5 and 121.)

Fees Rs.  $\left\{ \begin{array}{l} 4. \text{ for each Motor Cycle.} \\ 16. \text{ for each Motor vehicle weighing two tons or under.} \\ 32. \text{ for each Motor vehicle weighing more than two tons.} \end{array} \right.$   
(For renewal of registration certificate of such vehicle Rs. 16.)

Certified that the Motor vehicle described hereunder has been examined and found fit for use. It has been registered in the name of

Mr. \_\_\_\_\_ residing at \_\_\_\_\_  
and has been assigned Number \_\_\_\_\_

This number must always remain attached to the vehicle and must not be transferred to another vehicle. The person disposing of the vehicle as well as the person who takes it over is bound by rule 14 to report the fact to the undersigned.

*Description of vehicle:—*

1. Kind of motor vehicle.  
2. Maker's name or name by which the motor vehicle is ordinarily known.

3. Model of motor vehicle.
4. Year of manufacture.
5. Colour of body.
6. Number of seats.
7. Number of chassis.
8. Number on engine.
9. Maximum speed.
10. Number of cylinders.
11. Horse-power.
12. Whether intended for—
  - (a) private use.
  - (b) use for trade purposes.
  - (c) use as a public conveyance.

Additional for heavy motor vehicles.

13. Weight unladen. 

{	Vehicle.
	Trailer
14. Axle weight. 

{	Front.
	Rear.
15. Diameter of wheels.
16. Width and material of tyres.

*Registering Authority.*

*Dated*

19 .

[NOTE 1.—This certificate shall be valid until it is cancelled under rule 16, and will be recognised as valid in other Provinces of British India, in the Hyderabad State and in any other State in India which has adopted the British Indian Motor Vehicles Act, 1914 (VIII of 1914), as the State Law.]

NOTE 2.—In the case of a heavy motor vehicle this certificate shall expire on the 31st December in the year in which it was granted but shall be renewable on payment of a fee of Rs. 16.



*Indian Motor Vehicles Act, Section 4 and Rules 5, 8, 14, 15, and 16.*

(To be printed on back of certificate.)

*Section 4.*—The person in charge of a motor vehicle shall cause the vehicle to stop and to remain stationary so long as may reasonably be necessary—

- (a) when required to do so by any police officer for the purpose of regulating traffic or of ascertaining his name and address with a view to prosecuting such person under this Act or for any purpose connected with the enforcement of the provisions of this Act or the rules thereunder; or
- (b) when required to do so by any person having charge of any animal if such person apprehends that the animal is or will be, alarmed by the motor vehicle; or
- (c) when he knows or has reason to believe that an accident has occurred to any person or to any animal or vehicle in charge of a person owing to the presence of the motor vehicle and he shall also, if so required, give his name and address and the name and address of the owner of such motor vehicle.

*Rule 5.*—(1) No motor vehicle shall be used (save in accordance with rule 12 or for the purpose of procuring registration)—

- (a) unless it has been registered by the registering authority, and
- (b) unless the registration certificate granted in respect of it is in force.

(2) A registration certificate granted in respect of a heavy motor vehicle in accordance with these rules shall expire on the 31st December in the year in which it was granted, but shall be renewable.

(3) Registration certificates granted in respect of heavy motor vehicles before the 1st September 1926, shall expire on the 31st December 1926.

(4) Notwithstanding anything in this rule any registration certificate granted under any enactment for the time being in force in any part of British India, in the Hyderabad State or in any other State in India which has adopted the British Indian Motor Vehicles Act, 1914 (VIII of 1914), as the State Law, shall be valid in the Administered Areas until the date of its expiry: provided that a registration certificate granted in respect of a heavy motor vehicle shall expire on the 31st December of the year in which it is brought into the said areas.

*Rule 8.*—(a) Numbers assigned to motor vehicles shall be shown in white on a black ground, except in the case of motor vehicles to be let or plied for hire when they shall be shown in white on a red ground.

(b) The number shall be exhibited in Urdu on the front and in English on the back of the motor and on the back of any vehicle drawn by the motor vehicle and shall be of the following dimensions:—

*English figures.*—Height of each figure  $3\frac{1}{2}$  inches, uniform thickness  $\frac{3}{4}$  inch, each figure occupying a space of  $2\frac{1}{2}$  inches with 1 inch between each figure and a margin of  $\frac{1}{2}$  inch at the top, bottom and sides of the plate.

*Urdu figures.*—Height of each figure  $3\frac{1}{2}$  inches, each figure occupying a space of  $2\frac{1}{2}$  inches with one inch between each figure and a margin of half inch at top, bottom and sides of the plate.

Provided that in the case of motor cycles the number may not be less than two-thirds of the above dimensions.

(c) The numbers shall be painted on a plate rigidly affixed in a conspicuous place on the front and back of the motor vehicle and on the back of any trailer.

Provided that the number for the back of a motor vehicle or trailer may be painted on any conspicuous smooth surface, such as the petrol tank that may be available for the purpose, instead of on a plate.

(d) No number shall in any way be obscured, or rendered or allowed to become, not easily discernible at a reasonable distance.

(e) In the case of a motor tricycle or motor bicycle the front number plate shall have duplicate faces and shall be fixed to the front of the cycle so that from whichever side the cycle is viewed the letters or figures on one or other face of the plate may be easily distinguishable from the front of the cycle.

*Rule 14.*—Every transfer of ownership and every temporary transfer of possession of a motor vehicle shall forthwith be intimated to the registering authority both by the registered owner and by the transferee.

Provided that no intimation shall be required for temporary transfers for a period not exceeding one month.

The word “transferee” includes the purchaser, dealer, auctioneer, receiver, agent, repairer or any person who may be in temporary charge of the vehicle for the time being.

*Rule 15.*—If any circumstances (other than those mentioned in rules 14 and 30) occurring in relation to any motor vehicle, affect the accuracy or any particulars entered as regards that car in the Register of Motor Vehicles, the owner of the motor vehicle shall forthwith inform the registering authority with whom it has been registered.

*Rule 16.*—Where the registering authority, at any time after a motor vehicle has been registered, considers that it has ceased to comply with

the requirements of the Act or the rules made thereunder or that it has not been maintained in such a condition as to prevent danger to the public, such registering authority, may after notice to the registered owner, direct that the registration be cancelled until such time as the defects are rectified to its satisfaction.

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FORM E.

TRANSFER CERTIFICATE.

*(See rule 122.)*

Certified that Motor <sup>Vehicle</sup> <sub>Cycle</sub> No.                      standing in the name  
of Mr.                      has been transferred to the name of  
Mr.                      residing at

*Registering Authority.*

*Dated*                      19 .

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FORM F.

APPLICATION FOR PERMIT TO  $\frac{\text{LET ON}}{\text{FLY FOR}}$  HIRE.

*(See rules 54 and 123.)*

1. Full name of owner.
2. Postal address of usual residence of owner.
3. Description of motor vehicle.
4. Maker's name or name by which the motor vehicle is ordinarily known.
5. Model of motor vehicle.
6. Year of manufacture.
7. Colour of body.
8. Number of seats.
9. Number of chassis.
10. Number on engine.
11. Maximum speed.
12. Number of cylinders.
13. Horse-power.

14. Registration number of vehicle.

Additional for heavy motor vehicles.

15. Weight unladen. { Vehicle.  
Trailer.

16. Axle-weight. { Front.  
Rear.

17. Diameter of wheels.

18. Width and material of tyres.

*Signature of Applicant.*

*Dated* 19 .

I hereby declare that the above particulars in relation to my application for a permit to let or ply for hire the vehicle referred to above are true to the best of my knowledge and belief.

*Signature.*

*Dated*

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FORM G.

PERMIT TO  $\frac{\text{LET ON}}{\text{PLY FOR}}$  HIRE.

(See rules 54 and 123.)

FEE RS. 5 ONLY.

Permit is hereby granted to  
to let or ply for hire in public places motor vehicle No. within  
the Administered Areas in the Hyderabad State.

*Registering Authority.*

*Dated* 19 .

1. Maximum number of passengers which may be carried at any one time in the vehicle.

2. Maximum quantity of luggage which may be carried at any one time in the vehicle.

*Conditions.*

(1) The permit shall be carried by the driver of the car whenever the vehicle is in motion and the number of persons and weight of luggage specified in the permit shall be painted on a conspicuous part of the vehicle.

(2) No person shall sit or stand and no luggage shall be placed on the foot-boards or mud-guards of the vehicle.

(3) The owner of the vehicle, shall arrange for its examination once in every six months <sup>1</sup>[in the first week of January and July] by a person approved by the registering authority as to its structural strength, condition and running order generally, and his certificate as to its fitness for use on the road should be submitted by the owner to the registering authority. The vehicle shall not be let or ply for hire for a period exceeding six months without its being examined and certified in the manner specified above.

<sup>2</sup>[(4) The owner of the vehicle will be provided with a coloured disc by the Registering authority, showing the number of passengers the vehicle may carry and the date up to which it may ply for hire. A different coloured disc will be issued for each period of six months. The disc will be carried in a suitable holder, provided by the owner of the vehicle, on the right hand side of the glass wind screen.]

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FORM H.

PERMIT FOR LETTING OR PLYING FOR HIRE OF MOTOR BUS.

(See rules 110 and 124.)

FEE Rs. 10.

I, the registering authority, hereby permit <sup>within the</sup> ~~along the marginally-noted roads~~ <sup>district</sup> the letting or plying for hire of the motor bus described below, belonging to <sup>residing at</sup> ~~subject to the~~ whose head office is at ~~subject to the~~ following conditions:—

(Here enter description of motor vehicles.)

*Conditions.*

(1) This permit is granted subject to the provisions of the Indian Motor Vehicles Act, 1914, as applied to the Administered Areas in the

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<sup>1</sup> Inserted by Notification No. 132-J., dated the 22nd December, 1928. *Hyderabad Residency Orders*, 1929, Pt. I, p. 4.

<sup>2</sup> Added by ditto.

Hyderabad State and the rules made under section 11 thereof. It shall be in force till 31st December—

(2) Not more than                      passengers, in addition to the driver and conductor, shall be carried in the vehicle with luggage not exceeding in all                      lbs., but in place of each passenger short of the prescribed maximum goods or luggage to the weight of                      lbs. may be carried. Not more than one person shall be seated with the driver in front of the bus.

NOTE.—An infant in arms, who is carried free, will not be counted as a passenger for the purpose of this condition. A child under the age of twelve years will be considered as a half passenger for the purpose of this condition, provided half fare only is charged for such a child.

<sup>1</sup>[(3-A). No driver or conductor of a motor vehicle shall receive for carriage or carry therein any person suffering from an infectious or contagious disease, or any corpse, without the written permission of the District Magistrate or an officer authorised by him in this behalf. A motor vehicle which has been used for the carriage of any such person or corpse shall not be used for the carriage of passengers or goods, unless it has been disinfected to the satisfaction of the officer who granted the permission, the cost of such disinfection being borne by the owner of the vehicle.]

(3) No driver or conductor of motor bus, when the vehicle has been duly licensed and is either waiting or plying for hire shall, without reasonable excuse, refuse to accept a fare from any person tendering it provided that the conductor shall stop issue of tickets when the maximum number of passengers the vehicle is allowed to carry, has been reached.

(4) The permit shall be carried by the driver of the car whenever the vehicle is in motion and the number of persons and weight of luggage specified in condition (2) shall be painted on a conspicuous part of the vehicle.

(5) The owner of the vehicle, shall arrange for its examination once in every six months <sup>2</sup>[in the first week of January and July] by a person approved by the registering authority as to its structural strength, condition and running order generally, and his certificate as to its fitness for use on the road should be submitted by the owner to the registering authority. The vehicle shall not be let or ply for hire for a period exceeding six months without its being examined and certified in the manner specified above.

<sup>3</sup>[(5-A) The owner of the vehicle will be provided with a coloured disc by the Registering authority, showing the number of passengers the

<sup>1</sup> Inserted by Notification No. 97-J., dated the 3rd November, 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 189.

<sup>2</sup> Inserted by Notification No. 132-J., dated the 22nd December, 1928. *Hyderabad Residency Orders*, 1929, Pt. I, p. 4.

vehicle may carry and the date up to which it may ply for hire. A different coloured disc will be issued for each period of six months. The disc will be carried in a suitable holder, provided by the owner of the vehicle, on the right hand side of the glass wind screen.]

(6) The vehicle shall at all times be open to inspection by (i) any magistrate of or above the second class or (ii) any police officer not below the rank of Inspector of Police. If any such officer considers the vehicle to be unfit for use on the road he shall record his reasons in writing and shall communicate them to the owner as well as to the registering authority. The vehicle shall not then be let or ply for hire without the special permission of the registering authority, until a certificate as to its fitness has been produced from a person approved by that authority.

(7) This permit may be cancelled by the registering authority for any breach of its conditions or for any infringement of the provisions of any Act, or of any rule having the force of law. When any permit has been cancelled the holder thereof shall forthwith return it to the officer who issued it.

(8) The vehicle shall be driven only by a person certified by the registering authority to be competent to drive the particular vehicle.

(9) The weight of the vehicle, when fully loaded, shall in no case exceed six tons.

(10) The speeds at which the vehicle may be driven shall be subject to the following conditions:—

*Secunderabad—*

From Afzal Gunj to Fateh Maidan and from the Boat Club to Secunderabad Motor Vehicles stand . . . . .	12 miles an hour.
From Fateh Maidan to the Boat Club . . . . .	15 miles an hour.

*Aurangabad—*

City gate at the Mills near the bridge to the bridge near the Executive Officer's house . . . . .	15 miles per hour.
Except through bazar which should be . . . . .	10 miles per hour.
Bridge to Railway Station . . . . .	20 miles per hour.

(11) In the case of transfer of ownership or of possession whether temporary or otherwise, of a motor vehicle, the registered owner shall, along with his report under rule 14, forward the permit for being endorsed by the registering authority to the transferee.

(12) A motor bus shall travel on a fixed route only.

(13) No motor bus shall start from the stand except in its due order.

(14) All motor buses shall charge a rate not exceeding annas four for each passenger from Afzul Ganj Bridge to Secunderabad. A rate not exceeding annas two for each passenger shall be charged from the Aurangabad Cantonment to the Aurangabad City or to the Aurangabad

Railway Station. On the occasion of certain fairs a rate not exceeding annas twelve for each passenger may be charged according to the distance to be travelled.

(15) No driver of a motor bus shall alter the relative position of his bus in the rank on the stand. If a driver wishes to take his bus away from the rank out of its order for any purpose he shall obtain the permission of the Police Officer in charge. On his return he will occupy the last place in the rank.

(16) No person shall sit or stand and no luggage shall be placed on the foot-boards or mud-guards of a motor bus; luggage will be placed on the seats and will be charged for according to the number of seats occupied, at passenger rates.

(17) Motor buses shall come to the stand only between the hours of 5 a.m. and 6 p.m., Residency Bazaars buses may stand for an hour from 6 a.m. to 7 a.m. at the appointed place by the Residency Main Gate.

(18) Motor buses shall halt at appointed places to pick up and set down passengers and at appointed places only.

(19) No driver of a bus shall carry any Police Officer free of charge.

(20) This permit shall not be transferred to any other person without sanction duly endorsed thereon by the registering authority.

(21) This permit should not be returned to the issuing officer except on his requisition.

[*Hyderabad Residency Orders*, 1926, Pt. I, p. 152.]

POISONS ACT, 1919.

*Hyderabad Residency Poisons Rules, 1928.*

No. 58-J., dated the 6th January, 1928.—In exercise of the powers conferred on him by section 2 of the Poisons Act, 1919 (XII of 1919), as applied to the Administered Areas in the Hyderabad State and in supersession of the rules published in the Residency Orders Notification No. 65-J., dated the 25th July 1918, the Resident with the approval of the Governor General in Council, is pleased to make the following rules:—

I. In these rules “the Act” means the “Poisons Act, 1919” as applied to the Administered Areas in the Hyderabad State.

II. The following poisons shall be deemed to be poisons for purposes of these rules:—

Aconite, Nux Vomica, Perchloride of Mercury (Corrosive sublimate), Cyanide of Potash, Stramonium (Datura-arsenic sesqui sulphide), White Arsenic, Gauripashanam, Red Sulphide (Realgar-Arsenic Sulphide) and Yellow Sulphide (Orpiment) and also any preparations of the said poisons.



III. These rules shall be applicable to the whole of the Administered Areas in the Hyderabad State.

IV. No person not exempted under the provisions of the Act shall sell or possess for sale any poison specified in Rule II, except under a license granted in that behalf by the District Magistrate.

V. Every applicant for the grant or renewal of a license shall make a written application to the District Magistrate and such application shall bear a court-fee stamp of Re. 1.

VI. The District Magistrate, may, for any sufficient cause, revoke or cancel any license granted under Rule IV.

VII. The grant or withdrawal of a license to any applicant shall be at the discretion of the District Magistrate whose decision thereon shall be final.

VIII. Subject to the provisions of Rules VI and IX, a license granted under Rule IV shall remain in force for one year from the 1st January or, if it is issued later than the 1st January, from the date of issue to the 31st December following.

IX. A license shall terminate on the death of the license-holder or, if granted to a firm or company, on the winding up or transfer of the business of such firm or company.

IXA. In the case of revocation or cancellation of a license under Rule VI, the stock of poisons may be sold to any other license-holder or destroyed under the orders of the District Magistrate. In the case of the termination of a license under Rule IX, the stock of poisons may, under like authority, be destroyed or sold to any other license-holder; and, if sold, the proceeds shall be made over to the legal representative of the deceased license-holder, or liquidator of the dissolved firm or company or the transferee of the firm or company as the case may be.

X. Every sale of poison shall as far as possible be conducted by the license-holder in person or, where the license-holder is a firm or a company, through, or under the supervision of an accredited representative of such firm or company.

XI. A license-holder shall not sell any poison to any person unless the latter is personally known to him, or identified to his satisfaction. He shall also ascertain before selling any poison the name and address of the purchaser and the purpose for which the poison is purchased. He shall not sell any poison to any person who appears to him to be under the age of 18, or to any person who does not appear to him to be in full possession of his faculties, or to any wandering mendicant.

XIA. The license-holder shall in all cases of sale obtain the signature of the purchaser and also of the person identifying when the pur-

chaser is not personally known to him, in the register maintained under Rule XII.

XII. (1) Every license-holder shall maintain a register in which he shall enter all sales of poison other than those used by a chemist, druggist or compounder dispensing or compounding in compliance with the prescription of a medical or veterinary practitioner. The following particulars shall be entered in such register in respect of each such sale, namely:—

- (a) Name of poison; (b) quantity sold; (c) date of sale; (d) name and address of purchaser; (dd) name and address of the identifying person; (e) purpose for which the poison was stated by the purchaser to be required; (f) signature of purchaser (or thumb impression if illiterate) or, in case of purchase by post, date of letter or written order and reference to the original in the file in which it is preserved; (ff) signature of identifying person, if any (or thumb impression if illiterate); (g) signature of vendor.

(3) The signature under item (g) of the register shall be that of columns for each poison, the quantity of each sold daily, and these entries shall be filled up from day to day.

(3) The signature under item (g) of the register shall be that of the license-holder himself or, when the license-holder is a firm or company, that of an accredited representative of such firm or company, and shall be entered at the time of sale or despatch to the purchaser. Such signature shall be held to imply that the writer has satisfied himself that the requirements of Rule XI have been fulfilled.

(4) All letters or written orders referred to in head (f) of the register shall be preserved in original by the license-holder for a period of not less than two years from the date of the sale.

XIII (1) A license-holder shall maintain in respect of each poison specified in Rule II a stock register which shall contain the following particulars:—

- (a) Serial number; (b) date; (c) quantity received; (d) name and address of person from whom received; (e) quantity sold; (f) balance in stock; (g) remarks.

(2) The stock register shall be balanced daily.

XIV. Dispensing chemists and druggists shall, in respect of poisons specified in Rule II, maintain a prescription register which shall contain the following particulars:—

- (a) Serial number; (b) date; (c) copy of prescription; (d) name and description of person prescribing; (e) name and

quantity of poison used; (f) name, father's name and residence of the purchaser; (g) if purchaser is not known to vendor, signature or left thumb impression of the person to whom the medicine is delivered and (h) remarks.

XV. Any Magistrate or Police Officer of or above the rank of Sub-Inspector, or any Medical Officer of or above the rank of Sub-Assistant Surgeon under this Administration, may at any time visit and inspect the premises of a license-holder where poison is kept for sale and may inspect all poisons found therein and the registers maintained under Rules XII, XIII and XIV.

XVI. All poisons kept for sale by any license-holder under these rules shall be kept in a box, almirah, room or building (according to the quantity maintained) which shall be secured by lock and key and in which no substance shall be placed other than poisons possessed in accordance with a license granted under the Act; and each poison shall be kept within such box, almirah, room or building (according to the quantity maintained) which shall be secured by lock and key and in which no substance shall be placed other than poisons possessed in accordance with a license granted under the Act; and each poison shall be kept within such box, almirah, room or building in a separate closed receptacle of glass, metal or earthenware. Every such box, almirah, room or building and every such receptacle shall be marked with the word "Poison" in red characters, both English and vernacular, and, in the case of receptacles containing separate poisons, with the name of such poison.

XVII. When any poison is sold, it shall be securely packed in a closed receptacle or packet (according to the quantity) and every such receptacle or packet shall be labelled by the vendor with a red label bearing the name of the poison in English and the number and date of the entry in the register of sales specified in Rule XII.

XVIII. No person shall sell any powdered white arsenic unless the same is, before the sale thereof, mixed with soot, indigo or prussian blue in the proportion of half an ounce of soot, indigo or prussian blue at least to one pound of the white arsenic and so in proportion for any greater or less quantity. Provided that where such arsenic is stated by the purchaser to be required for some purpose for which such admixture would, according to the representation of the purchaser, render it unfit, such arsenic may be sold without such admixture in a quantity of not less than ten pounds at any one time or with the previous permission in writing of the District Magistrate, in quantities of less than ten pounds.

CANTONMENTS (HOUSE ACCOMMODATION) ACT, 1923.

*Act brought into force in certain parts of Secunderabad.*

No. 72, dated the 30th November, 1903.—In exercise of the powers conferred by section 3 of the Cantonments (House Accommodation) Act, 1902<sup>1</sup> (II of 1902), as applied to the Cantonment of Secunderabad \* \* the Resident at Hyderabad is pleased, with the previous sanction of the Governor General in Council, to declare the said Act as so applied to be operative in the parts of the said Cantonment known as Bolarum, Trimulgherry, Bowenpalli, Maredpalli, Begampett, Tarband, Chilkalgudam and Staff Lines.

[*Hyderabad Residency Orders*, 1903, Pt. I, p. 316.]

*In Aurangabad.*

No. 30, dated the 6th April 1904.—In exercise of the powers conferred by section 3 of the Cantonments (House Accommodation) Act, 1902<sup>1</sup> (II of 1902), as applied to the Cantonment of Aurangabad \* \* \* the Resident at Hyderabad is pleased, with the previous sanction of the Governor General in Council, to declare the said Act as so applied to be operative in the said Cantonment of Aurangabad.

[*Hyderabad Residency Orders*, 1904, Pt. I, p. 101.]

*Secunderabad and Aurangabad Cantonments (House Accommodation) Rules, 1924.*

No. 351-I., dated 2nd July, 1924.—In exercise of the powers conferred by section 35 of the Cantonments (House Accommodation) Act, 1923 (VI of 1923), as applied to the Cantonments of Secunderabad and Aurangabad, the Governor General in Council is pleased to make the following rules to carry out the purposes and objects of the said Act.

RULES.

1. *Short title and extent.*—(1) These rules may be called the Secunderabad and Aurangabad Cantonments (House Accommodation) Rules, 1924.

(2) They extend to the whole of the Cantonment of Aurangabad and to those parts of the Cantonment of Secunderabad in which the Cantonments (House Accommodation) Act, 1923, as applied, hereinafter referred to as “the Act”, is for the time being operative.

2. *Form of notices.*—(1) Every notice prescribed by section 6 or section 7 of the Act shall be in the appropriate form set forth in Schedule A with such variations as the circumstances of each case may require.

<sup>1</sup> See Section 1 (3) of the Cantonments (House Accommodation) Act, 1923, as applied by Notification No. 280-I., dated the 24th April, 1929. Printed *supra*, p. 27, which keeps this notification in force.

(2) The lease referred to in section 7 of the Act shall, as nearly as may be, be executed in the form set forth in Schedule B.

3. *Service of notices.*—Any notice issued under the Act or these rules, if not served by post under section 34 of the Act, may be served by any person authorised by the Commanding Officer of the cantonment in this behalf:—

(a) by giving or tendering a duly signed copy thereof to the person to whom it is addressed; or

(b) where the notice cannot be served in the manner specified in clause (a), by causing it to be affixed to some conspicuous part of the house to which it relates, and by publishing it in one vernacular and one daily English newspaper published within the Command in which the cantonment is situate.

4. *Petition of appeal.*—Every petition of appeal under section 30 of the Act shall state the grounds of appeal.

5. *Notice of meetings of Committee of Arbitration.*—When a Committee of Arbitration, hereinafter referred to as “the Committee” has been duly constituted and each of the members thereof informed by the Commanding Officer of the cantonment of the fact by notice as provided in sub-section (1) of section 24 of the Act, the Chairman of the Committee shall, within a week from the receipt of such notice, fix the time and place of meeting and give notice of the same in writing to the other members of the Committee, and, through the Commanding Officer of the cantonment, to the parties concerned.

6. *Contents of notice.*—The notice given to the parties under rule 5 shall state the purpose for which the Committee will assemble, and shall contain a direction to them to produce their evidence, oral and documentary, on the date fixed, or if they are unable to do so, to forward to the Chairman at least seven days prior to the day of the meeting, a list of the witnesses whom they desire to be summoned in their behalf, either to give evidence or to produce documents relating to the matter in dispute.

7. *Chairman to move District Magistrate for issue of process.*—On receipt of the lists of witnesses and documents, if any, the Chairman shall, if he considers the request made for the attendance of the witnesses named and the production of the documents called for to be reasonable, transmit the list to the District Magistrate for issue of the necessary processes under sub-section (2) of section 24 of the Act. If the Chairman considers the attendance of any witness named or the production of any document called for to be unnecessary, he shall inform the party concerned and the question whether such witness shall be summoned or

such document called for shall be determined by the Committee at their first meeting.

8. *Power of Chairman to call additional evidence.*—It shall be open to the Chairman to call for the attendance of witnesses or the production of documents other than those named by the parties and to transmit a list of such witnesses and documents to the District Magistrate for issue of the necessary process.

9. *Record of award.*—(1) The Chairman shall record in the award the question for decision, the number of the Station Order convening the Committee, the names and status of the members thereof, and the decision arrived at. The award shall be signed by the Chairman and the members of the Committee, and shall be forwarded by the Chairman in duplicate to the Commanding Officer of the cantonment for disposal.

(2) The dissent of any member from any decision of the Committee of Arbitration with his reasons therefor, shall, if such member so requests, be attached by the Chairman to the Proceedings.

10. *Power to correct mistake.*—The Committee shall have power to correct any clerical mistake or error in its award which may have arisen from any accidental error or omission.

11. *Power of entry and inspection.*—The Committee, or any members thereof or any person specially authorised by them in this behalf may enter into or on any building or land, which is the subject of arbitration; and may make such inspection and may cause such expert examination to be made as they think fit.

12. *Contents of requisition for reference to Committee.*—Every requisition for reference of any question to a Committee of Arbitration shall set forth the grounds upon which the applicant relies.

13. *Replacement of member dying or becoming unable to act.*—Where any member of the Committee dies or becomes incapable of acting, the officer or owner as the case may be, who nominated him shall nominate another person in his place within seven days from the date on which he is called upon to do so; and if he fails to do so, the District Magistrate shall forthwith appoint a member in his place.

14. *Supply of copy of award.*—The Chairman shall furnish a copy of the award to each of the parties free of charge and shall then forward the original to the Commanding Officer of the cantonment.

15. *Limitations on power of entry, etc.*—Any power of entry, inspection, measurement or survey conferred by the Act or these rules shall be exercised in accordance with the following provisions, namely:—

- (a) such power shall be exercised only between sunrise and sunset;
- (b) in the case of an occupied building or occupied land such power shall not, save with the consent of the occupier, be

exercised unless twenty-four hours' notice in writing has been given to the said occupier;

- (c) when in the exercise of such power a building used as a human dwelling is entered, due regard shall be paid to the social and religious sentiments of the occupiers; and no apartment in the actual occupancy of a woman shall be entered until she has been informed that she is at liberty to withdraw, and every reasonable facility has been afforded to her for withdrawing.

16. *Penalty for obstruction.*—Whoever obstructs any person, not being a public servant within the meaning of section 21 of the Indian Penal Code, in any entry, inspection, measurement or survey which such person is authorised to make under the Act or these rules shall be punished with fine which may extend to fifty rupees and in the case of a continuing offence with fine which in addition to such fine as aforesaid may extend to five rupees for every day after the first day during which such offence continues.

#### SCHEDULE A.

[See Rule 2 (I).]

#### FORM I.

*Notice to owner under sub-section (I) of section 6 of the Cantonments (House-Accommodation) Act, 1923, as applied.*

To

WHEREAS I, \_\_\_\_\_, Commanding Officer of the Cantonment of \_\_\_\_\_, consider that the liability imposed by section 5 of the Cantonments (House-Accommodation) Act, 1923, should be enforced in respect of house No. \_\_\_\_\_ situated at \_\_\_\_\_ within the said cantonment, of which house you are the owner:—

This is to require you to permit the said house to be inspected, measured and surveyed by \_\_\_\_\_ <sup>A.M.</sup>/<sub>P.M.</sub> on the \_\_\_\_\_ day of 19\_\_\_\_, at \_\_\_\_\_

(Signed)

*Commanding Officer of the Cantonment of \_\_\_\_\_*

FORM II.

*Notice to owner under clause (a) [and clause\* (c)] of sub-section (1) of section 7 of the Cantonments (House-Accommodation) Act, 1923, as applied.*

To

WHEREAS on the report of I, , Commanding Officer of the Cantonment of , am satisfied that house No. situated at within the said cantonment, of which you are the owner, is suitable for occupation by a military officer or a military mess, and whereas the previous sanction of the Officer Commanding the District has been obtained to the issue of this notice:—

Take notice that you are hereby required to execute on or before the day of 19 , a lease of the said house to the Government for a period of years:—

And take notice that the amount of the annual rent proposed as reasonable for the said house, [calculated\* on the assumption that you will carry out the repairs hereinafter required], is Rs. and that unless within a period of one month from the service of this notice you require the matter to be referred to a Committee of Arbitration you will be deemed to have accepted the said rent.

\*[And take notice that you are hereby further required to execute on or before the day of 19 , at a total estimated cost of Rs. the repairs specified in the annexed list, being in my opinion necessary for the purpose of putting the house into a state of reasonable repair.

*List of repairs to be executed.*

Nature of repair	Estimated Cost.]
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(Signed)

*Commanding Officer of the Cantonment of*

FORM III.

*Notice to occupier under clause (b) of sub-section (1) of section 7 of the Cantonments (House-Accommodation) Act, 1923, as applied.*

To

WHEREAS on the report of I, , Commanding Officer of the Cantonment of , am

\* To be omitted where the owner is not required to execute repairs under clause (1) (c) of section 7.



satisfied that house No.                      situated at                      within  
the said Cantonment, of which you are the existing occupier, is suitable  
for occupation by a military officer or a military mess, and whereas the  
previous sanction of the Officer Commanding the District has been  
obtained to the issue of this notice:—

Take notice that you are hereby required to vacate the said house on  
or before the                      day of                      19 .

(Signed)

Commanding Officer of the Cantonment of

**SCHEDULE B.**

[See Rule 2 (2).]

*This indenture* made the                      day of                      one thousand  
 nine hundred and twenty                      of                      *Between.*

(hereinafter called the lessor which expression shall where the context so admits include his heirs, representatives and assigns) of the one part and *the Secretary of State for India in Council* (hereinafter called the lessee which expression shall include his successors in office and assigns) of the other part.

Whereas the lessor is the owner of the premises intended to be hereby demised and whereas the said Commanding Officer has by notice issued under sub-section (1) of section 7 of the Cantonments (House-Accommodation) Act, 1923 (hereinafter called the Act) required the lessor to execute a lease of the premises hereby demised.

*Now this indenture witnesseth as follows:—*

I. The lessor hereby lets and the lessee takes all that the dwelling house situate in

Road in  
Street

Cantonment which premises contain by admeasurement  
or thereabouts and are delineated and coloured  
on the map or plan hereto annexed *together*  
with the out-buildings, grounds, garden, trees, fences, hedges, ditches,  
wells, easements and appurtenances whatsoever to the said dwelling

house and premises belonging or usually held or enjoyed therewith for  
a period of \_\_\_\_\_ years from the \_\_\_\_\_ day of \_\_\_\_\_  
at the \_\_\_\_\_ rent of Rs. \_\_\_\_\_  
payable \_\_\_\_\_ first of such payments being made on \_\_\_\_\_

II. The lessee hereby covenants with the lessor—

- (1) That he will pay the rent hereby reserved at the times aforesaid.
- (2) That he will yield up the said dwelling house on the expiration of this lease in a state of reasonable repair
- (3) That he will maintain the grounds and the garden (if any) appertaining to the said dwelling house in the condition in which they are at the date of these presents.

*In witness* whereof the Lessor and  
by the order and direction of the Governor General in Council acting in  
the premises for and on behalf of the Secretary of State have hereunto  
set their hands this                      day of                      19 .

Signed by the above named

in the presence of

Signed by the said\*

by

the order and direction of the Governor General of India in Council  
acting in the premises for and on behalf of the Secretary of State in  
the presence of

[*Gazette of India*, 1924, Pt. I, p. 621.]

**CANTONMENTS ACT, 1924.**

*Definition of limits of Secunderabad Cantonment.*

<sup>1</sup>*No. 69, dated the 14th October, 1911.—Not reprinted.*

[*Hyderabad Residency Orders*, 1911, Pt. I, p. 196.]

*Definition of limits of Aurangabad Cantonment.*

*No. 31, dated the 10th April, 1913.*—Not reprinted.

[*Hyderabad Residency Orders*, 1913, Pt I, p. 26.]

\* Add designation.

<sup>1</sup> Amended by Notification No. 80, dated the 16th November 1911.—*Hyderabad Residency Orders*, 1911, Pt. I, p. 224.

*Exclusion of certain parts of Secunderabad Cantonment from the operation of the Cantonments Act.*

No. 2261-I. B., dated the 20th October, 1911.—In exercise of the powers conferred by section 30 of the Cantonments Act, 1910<sup>1</sup> (XV of 1910), as applied to the Cantonment of Secunderabad, and in supersession of the notifications of the Government of India in the Foreign Department, Nos. 1453-I. B. and 2589-I. B., dated respectively, the 15th April and 15th July 1904, the Governor General in Council is pleased to exclude from the operation of the whole Act, as so applied, the under-mentioned parts of the Cantonment of Secunderabad, namely:—

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<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924) as applied by Notification No. 260-I, dated the 24th April 1929, printed *supra*, p. 27.

514 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders under Acts locally applied.)

Serial No.	Situation of the ground.	Extent of the ground.	Nature of soil	How laid out and whether there are any buildings upon it.	BOUNDED ON THE			
					North by	South by	East by	West by
1	2	3	4	5	6	7	8	9
1	Miles 113 to 114 on the Railway line . . . . . Miles 114 to 115 on the Railway line . . . . . Miles 115 to 116 on the Railway line . . . . . Total . . . . .	A. R. P. 9-0-18-76 67-2-34-73 5-3-31-95 82-3-5-44			Fenced in from the surrounding country.			
2	South of Railway Station yard and west of Railway blocks.	Sq. yards. 11,223 30 . . . . .	Mooram . . . . .	A few huts . . . . .	Railway wall	Grave yard and road	Railway fence . . . . .	Road.
3	South of Railway line to Lallaguda . . . . .	4,340-00 . . . . .	Do. . . . .	Waste and pargana ground . . . . .	..	Waste . . . . .	..	..
4	West of Bhoyguda Village . . . . .	1,700 00 . . . . .	Do. . . . .	Waste ground. . . . .	Railway fence.	Bhoyguda Village.	Waste land near side of road from Secunderabad to Hyderabad.	Railway Shunting neck.
5	Back of Railway Station . . . . .	17,528 00 . . . . .	Mooram with small boulders . . . . .	Do . . . . .	Railway Station.	Road to Hughes town.	Open ground near Chikal-gudam.	Open ground near Bhoygal.
6	North-west of Chikalgudam . . . . .	5,511-00 . . . . .	Do. . . . .	Do. . . . .	Do. . . . .	Waste ground	Chikalgudam Infantry lines.	Waste ground.
7	Old Lancer Barracks Blocks 1, 2, 3 and 4 and all buildings surrounding, including latrine beyond road.	A. B. P. 14-2-11-34 . . . . .	Mooram . . . . .	Old Lancer Barracks blocks 1, 2, 3 and 4 and all surrounding buildings and latrine.	Waste ground and Major Ha wk's Compound	Rifle butts and waste ground.	Chikalgudam Infantry lines, road from Lallaguda to Tril-mulgherry.	Do.

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 515  
under Acts locally applied.)**

S.	Old Yancoor Barracks between old and new Railway Offices.	Sq. yards 42,955 00	Do.	Waste	Waste ground behind Major H a w k e's Compound.	Post Office and road	Railway new Offices.	Railway old Offices.
9	South of St. John's Church, Secunderabad	29,557	Do.	As a compound with building on it.	Road passing south of St. John's Church.	A road	Open ground	Road.
10	North-west of General Post Office	19,327	Do.	Do.	Compound with private buildings.	Open ground.	Do.	Do.
11	North of Railway line to Lallaguda	2,733-13	Do.	Waste	Waste ground	Railway fence.	Waste ground	Do.
12	South of Railway line to Lallaguda	6,081 22	Do.	Waste ground	Railway fence	Waste ground	Demarcation line of Cantonment limits near Lallaguda.	Pathway to first bridge beyond cemetery to Lallaguda.
13	North of Railway line to Lallaguda	1,336-78	Do.	Waste	Waste ground	Railway fence	Waste ground	Road.
14	South of Railway Station	17,545	Mooram with boulders	Do.	Railway compound wall and land recently acquired from the Cantonment authorities.	Waste ground	Do.	Road from Hughes to w n to Railway station.
15	East of Bolaram Bazar	275 83	Mooram	Do.	Bridge No. 727	Waste land	Public road	Railway line.
16	North of old and new Railway Offices	2,500 6	Do.	Block of Railway Menials' quarters.	Road to Railway offices given now to Railway Company as plot No. 70.	Railway offices and General Post Office Road.	Railway Offices	Plot of land to be transferred to the Wesleyan Mission as plot No. 68.
17	North of the new Railway Office	6,180-96	Do	Do.	Road from Secunderabad to Lallaguda.	New Railway Offices.	Approach road to new Railway.	Road from Secunderabad to Lallaguda.

<sup>1</sup> Substituted by Notification No. 2324-I. B., dated the 9th October 1916. *Gazette of India*, 1 '16, Pt. I, p. 1559.

516 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders under Acts locally applied.)

Serial No.	Situation of the ground.	Extent of the ground.	Nature of soil.	How laid out and whether there are any buildings upon it	BOUNDED ON THE			
					North by	South by	East by	West by
1	2	3	4	5	6	7	8	9
118	North of Secunderabad between station and compound of Station Master's quarters.	84 yards 1,421.75	Mooram	Open	Public road to Secunderabad markets and Chilkalgudam lines.	Secunderabad Station.	Station Master's quarters and Secunderabad Railway Dispensary.	Secunderabad Station compound.
119	North of the Audit Office	777.77	Do	Do	Junction between St. John's Road and road leading to Chilkalgudam.	Nizam's Guaranteed State Railway Audit Office.	Private buildings.	Cantonment Police buildings and St. John's Road
120	Triangular plot between the Railway Audit offices, Chief Engineer's bungalow compound and the road leading from Chilkalgudam to the Railway offices.	1 acre 32.78 poles.	Hard Mooram	Open waste land.	Audit and Pay Master's offices	The road to the Nizam's Guaranteed State Railway Audit Office.	The Nizam's Guaranteed State Railway Chief Engineer's bungalow compound.	The road to the Nizam's Guaranteed State Railway Audit Office.
121	North of the Railway line to Hyderabad	2668.94 square yards.	Do.	Open waste land.	Minister's road	Railway embankment.	Chhatar buildings.	Open land.
122	Land to the south-west of the Nizam's Guaranteed State Railway Company's Audit and Pay Master's offices.	1 road 14.20 poles.	Mooram	Open	St. John's Road.	Road leading to general Railway offices.	Audit and Pay Master's offices.	St. John's Road.
123	South of the Railway line to Hyderabad	1.88 acres	Hard Mooram and boulder rock.	Waste ground. No buildings.	Railway line	Nizam's garden.	Railway line	Road to right of soil trenches.
124	North of the railway line from the Secunderabad Station on the same side as Elephant Bridge.	8.353 acres	Ditto	Ditto	Mr. Pitcher's Compound.	Railway line	Market Sergeant's quarters.	St. John's Road.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 517  
under Acts locally applied.)

No.	Description of the land.	Area.	Authority.	Remarks.	Location.	Remarks.	Authority.	Remarks.
25	North of the railway line from the Secunderabad Station and to the east of plot in S. No. 24.	1.67 acres	Ditto	Ditto	Ditto	Market Reservoir's quarters and 1,000 acre plot.	Ditto	Temporary land granted to the Nizam's State Railway Company for stacking material.
26	South of the railway line from the Secunderabad Station on the same side as Elephant Bridge.	13.46 acres	Ditto	Ditto	Ditto	Railway line.	Ditto	Chalkalguda Road.
27	South and east of the cemetery and to the south and a portion to the north of the railway line from the Secunderabad Railway Station.	43.63 acres	Ditto	Ditto	Ditto	Cemetery and railway line.	Ditto	Cemetery and waste land.
28	East of the Secunderabad Station Yard and south of the Plot in Serial No. 26 including a portion of the Chalkalgudam Lines.	35.00 acres	Ditto	Ditto	Ditto	Plot Serial No. 26 or waste land.	Ditto	Secunderabad Railway Station Yard.
29	South of the plot in Serial No. 28 including a portion of the Chalkalgudam Lines.	28.00 acres	Ditto	Ditto	Ditto	Waste ground.	Ditto	Chalkalgudam Road.
30	South of the Boileaux Bridge to the west of the Secunderabad Station Yard.	0.10 acres	Ditto	Ditto	Ditto	Waste ground.	Ditto	Chalkalgudam Road.
31	West of the Railway Office	.15 acres	Mooram	Ditto	Ditto	Portion of Compound of No. 17, no buildings on it.	Ditto	Burma Railway siding.
32	West of the Railway Office	.299 acres	Mooram	Ditto	Ditto	Open ground used as a cart track.	Ditto	Bungalow No. 17.
33	Between the Railway Audit Office and His Highness the Nizam's Government Audit Office.	.878 Acres	Mooram	Ditto	Ditto	As a road.	Ditto	Bungalow No. 17.

Inserted by Notification No. 381-I B., dated the 7th February 1912. *Gazette of India*, 1912, Pt. I, p. 108.  
 \* Added by Notification No. 381-I B., dated the 7th February 1912. *Gazette of India*, 1912, Pt. I, p. 108.  
 \* Added by Notification No. 381-I B., dated the 7th February 1912. *Gazette of India*, 1912, Pt. I, p. 108.  
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 \* Added by Notification No. 381-I B., dated the 7th February 1912. *Gazette of India*, 1912, Pt. I, p. 108.

[Gazette of India, 1911, Pt. I, p. 840.]

*Inclusion of certain villages in Aurangabad Cantonment.*

No. 16-J., dated the 23rd March, 1908.—In exercise of the powers conferred on him by section 4 of the Cantonments Act, 1889 (XIII of 1889)<sup>1</sup> applied to the Cantonment of Aurangabad \* \* the Resident, with the previous sanction of the Governor General in Council, is pleased to notify the inclusion in the Cantonment of Aurangabad of the villages of Karanpura, Padampura, Kesrisinghpara and Kokanwar.

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 42.]

*Constitution of a Cantonment Board in Secunderabad Cantonment.*

No. 80-I., dated the 11th February, 1925.—In exercise of the power conferred by section 11 of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonment of Secunderabad, the Governor General in Council is pleased to direct that a Cantonment Board shall be constituted, in accordance with the provisions of the said Act, in the Secunderabad Cantonment.

[*Gazette of India*, 1925, Pt. I, p. 146.]

*Qualifications of Electors.*

No. 24-J., dated the 23rd February, 1925.—In exercise of the powers conferred by clause (a), and sub-clauses (i) and (ii) of clause (b), of sub-section (1), of section 27, and clause (c) of section 31, of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonment of Secunderabad, the Resident is pleased to make the following rules for the purposes of the said sections, namely:—

1. No person shall be entitled to be enrolled as an elector unless,
  - (a) he pays a tax under the said Act (other than octroi, toll or terminal tax), of an amount not less than Halli Sicca Rs. 10 (Rupees ten), or
  - (b) he is the owner or the mortgagee in possession or the lessee of any building or land in the Cantonment of an annual value of not less than Halli Sicca Rs. 150 (Rupees one hundred and fifty), or
  - (c) he is carrying on business in the Cantonment from which he derives an annual income of not less than Halli Sicca Rs. 600 (Rupees six hundred).

2. For the purpose of sub-clause (i) of clause (b) of the said sub-section, the annual value of a building or land in the Cantonment shall be the annual value of such buildings or land entered in the assessment list of the annual values of buildings and lands in the Cantonment.

<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924), as applied by Notification No. 260-I., dated the 24th April 1929, printed *supra*, p. 27.



3. For the purpose of sub-clause (ii) of clause (b) of the said sub-section, the annual income derived by a person from a business carried on in the Cantonment shall be calculated by subtracting the total annual expenditure incurred upon the business from the total annual income derived from the business. The year for the purpose of the calculation may be the calendar year or the year for which the person keeps accounts or any year for which the total expenditure and income can be ascertained.

[*Hyderabad Residency Orders, Extraordinary, February 5th, 1926.*]

*Secunderabad Cantonment Electoral Rules, 1926.*

*No. 19-J., dated the 5th February, 1926.*—In exercise of the powers conferred by sections 30 and 31 of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonment of Secunderabad, the Resident is pleased to make the following rules in respect of the matters referred to in the said sections, namely:—

I. *Short title.*—These rules may be called the Secunderabad Cantonment Electoral Rules, 1926.

2. *Representation of joint Hindu families.*—When any undivided Hindu family possesses any such qualification as would enable a private person to be enrolled as an elector, other than a qualification set forth in sub-clause (iii) or (iv) of clause (b) of sub-section (1) of section 27 of the Act, the manager of the family may be so enrolled, provided that the same person shall not be enrolled both in a personal and in a representative capacity.

3. *Division of Cantonment for purposes of elections.*—(1) For the purposes of elections to the Cantonment Board, the inhabitants of the Cantonment shall be divided into the following classes:—

- (a) Hindus (including Jains, Sikhs, Animists and others not specified below).
- (b) Muhammadans.
- (c) Europeans (including Anglo-Indians) and Parsis.
- (d) Indian Christians.

(2) The number of members to be elected by the classes enumerated in sub-rule (1) shall be as shown in the schedule given below:—

*Schedule.*

Serial No.	Name of Class.	Number of members to be elected.
1	Hindus (including Jains, Sikhs, Animists and others not specified below)	3
2	Muhammadans	2
3	Europeans (including Anglo-Indians) and Parsis	1
4	Indian Christians	1

(3) Every elector shall have as many votes as there are members to be elected in his class.

4. *Number of members to be elected.*—The number of members to be elected for the Secunderabad Cantonment Board shall be seven.

5. *Preparation of electoral rolls.*—(1) The Executive Officer shall maintain lists of persons possessing the qualifications set forth in section 27 of the Act.

The names of persons entitled to be enrolled by reason of their assessment to cantonment taxes shall be compiled from the cantonment registers. A statement of the arrears, if any, due on the 15th February from such persons shall be furnished on the 22nd February by the Executive Officer to the person or persons appointed under rule 6 to prepare the electoral rolls.

For the purpose of ascertaining the names of persons entitled to be enrolled by reason of their being the owners, mortgagees-in-possession, or lessees of any building or land in the cantonment, the Executive Officer shall make such enquiries as may be necessary to enable him to ascertain the names of such persons.

In the list of persons entitled to be enrolled by reason of their carrying on a business in the cantonment, there shall be entered the name of every person who in writing applies on or before the 18th February to the Executive Officer to be entered therein and satisfies that officer that he derives from the business an annual income of not less than the prescribed amount.

In the lists of graduates, retired or pensioned officers and payers of income-tax, there shall be entered the name of every graduate, retired or pensioned officer and payer of income-tax who in writing applies on or before the 18th February to the Executive Officer and proves his right to be entered therein as such.

(2) The list shall also contain the names of managers of undivided Hindu families entitled to be enrolled under rule 2.

(3) Every entry in the lists obtained from a register or an assessment list maintained in the cantonment office shall contain a reference to the item in the register or assessment list upon which the entry is based.

(4) The Executive Officer shall, on or before the 27th February, deliver the lists mentioned in paragraphs 4 and 5 of sub-rule (1) to the person or persons appointed under rule 6 to prepare the electoral rolls.

6. *Electoral rolls how to be prepared.*—(1) The Cantonment Authority shall on or before the 15th February appoint a person or persons to prepare an electoral roll for each class mentioned in rule 3, containing the names of persons entitled to be enrolled as electors.

(2) The said person or persons shall compile the electoral rolls in the form shown in Schedule I and in accordance with the provisions of

the Act and of rule 7, from the lists maintained under rule 5 and when a name shown in the lists is omitted, or a name not shown in the lists is inserted, shall record the reason for such omission or insertion.

(3) Entries shown in the lists as having been obtained from a register or an assessment list shall be compared with the items upon which they are based.

(4) The names in the electoral rolls shall be alphabetically arranged and serially numbered.

(5) The said person or persons shall sign and deliver the electoral rolls to the Executive Officer on or before the 3rd March.

7. *Registration.*—A person shall not be enrolled more than once in the electoral rolls notwithstanding that he may possess more than one of the qualifications prescribed by the Act

8. *Registration of electors.*—The names of all persons (with their fathers' names and residence) entitled to be enrolled as electors under section 27 of the Act shall be entered on the electoral roll for each class.

9. *Provisional publication of rolls.*—(1) Copies of the electoral rolls in English shall be posted at the cantonment office and in such other places as the Cantonment Authority may prescribe, and shall be kept so posted from the 3rd to the 7th March. There shall be prescribed one or more such places in the cantonment.

(2) Proclamation shall also be made by notices posted throughout the cantonment and by beat of drum that the electoral rolls have been prepared and that copies thereof can be inspected at the cantonment office and in other specified places.

10. *Claims and objections.*—(1) Any person whose name is not entered in the electoral rolls and who claims to have it inserted therein, and any person whose name is entered in the electoral rolls and who objects to the inclusion of the name of any other person in the electoral rolls may, at or before noon of 8th March, give notice in writing of his claim or objection to the Executive Officer (the notice to contain a statement of the qualifications on which the claim is based or of the reasons for which the objection is made).

(2) The claims and objections shall be published by fixing up lists of the claimants and of the persons objected to in the cantonment office. The lists shall be kept so fixed on the 9th and 10th March.

(3) Each person making a claim must do so on a separate petition, which shall be presented either by the claimant in person or by an agent duly authorised by a power of attorney.

NOTE.—Under the provisions of the Indian Stamp Act, 1899 (II of 1899), as applied to the Cantonment of Secunderabad, the power of attorney must be stamped with a one rupee stamp, and a separate stamped instrument is required of each claimant, even though several claimants appoint the same person as their agent.

11. *Hearing of claims and objections.*—(1) Such claims and objections shall be heard by a Committee (hereinafter called the revising authority) consisting of two persons appointed by the Cantonment Authority, and one appointed by the Secretary to the Resident. The person appointed by the Secretary to the Resident shall preside over the Committee. The Committee shall meet at such time and place within the cantonment as the President of the Committee may appoint and shall hear the claims and objections and pronounce the orders made thereon in open sitting on any day or days from the 14th to the 16th March. The time and place of meeting of the Committee shall be notified by the Executive Officer two clear days before the holding of the sitting by notice given to each person lodging a claim or preferring an objection or to whom objection has been made and published in the places prescribed by rule 9 for the publication of the electoral rolls.

(2) No person who has been appointed to prepare the rolls under rule 6 shall be appointed a member of the committee under sub-rule (1).

(3) If any member of a committee appointed under sub-rule (1) refuses to act or becomes incapable of acting on the committee, the authority which appointed such member may, if it deems necessary, fill up the vacancy by the appointment of another person in his stead.

12. *Revising authority may order roll to be amended.*—If at any time before the close of the last day on which it may sit, the revising authority sees reason to believe that there are any omissions from the electoral rolls other than those in respect of which claims have been made, or that there are any entries in the electoral rolls other than those in respect of which objections have been made, which should be removed or corrected, it may, after causing such notice as it considers reasonable to be given to the persons affected, and after making such enquiry as it deems necessary, order that such omissions or entries be supplied, removed or corrected.

13. *Proceedings of the revising authority to be in writing and to be submitted to the Secretary to the Resident.*—The proceedings of the revising authority in respect of each claim or objection of which notice has been given, and in respect of each omission or irregular entry of which cognizance has been taken, shall be reduced to writing, and shall be submitted to the Secretary to the Resident on or before the 17th March.

14. *Orders of the revising authority to be final.*—(1) Subject to any correction in the electoral rolls ordered by the Secretary to the Resident at any time before the 22nd March:—

(a) The orders made by the revising authority shall be final;

(b) the electoral rolls shall be amended in accordance with those orders; and

(c) the electoral rolls so amended shall not be altered so long as they continue in operation.

(2) Every correction ordered by the Secretary to the Resident shall be notified by him to the Executive Officer, who shall immediately on receiving the notice—

(a) make in the electoral rolls any correction ordered;

(b) certify in the electoral rolls that the correction has been ordered by the Secretary to the Resident, and subscribe his name to such certificate; and

(c) give notice to the person affected that the correction has been made.

15. *Completion and duration of electoral rolls.*—The electoral rolls shall be completed by the 24th March, and subject to such corrections as are provided by rule 14, shall continue in operation until before the next ordinary election fresh electoral rolls are completed.

16. *Copies of final rolls to be fixed up.*—The electoral rolls made and revised under rules 5 to 15 shall be posted at the cantonment office on the 24th March and be kept posted there so long as they continue in operation. Copies shall also be made available for purchase by residents of the cantonment at a reasonable price to be fixed by the Cantonment Authority.

17. *Date of elections.*—The elections shall be held triennially on the 9th and 10th April or such other date as may be notified by the Resident in this behalf.

18. *Time and place of elections.*—The hours during which, and the place or places where, if there be a poll, the votes of the electors will be taken shall be determined by the Cantonment Authority.

19. *Notice of elections.*—On the 24th March the Executive Officer shall prepare and sign a notice setting forth—

(a) the date of the election, and

(b) the number of persons to be elected, and

(c) the date on which nominations may be made, and

(d) the hours during which, and the place or places where, if there be a poll, the votes of the electors will be taken;

and shall publish the notice in the same manner as is prescribed by rule 9 for the publication of the electoral rolls.

20. *Nomination of candidates.*—Every candidate for election as a member of the Cantonment Board shall be nominated in writing.

21. *Nomination paper.*—The writing (hereinafter called the nomination paper) shall be subscribed clearly and legibly by at least five electors, of whom the first two shall be deemed the proposer and seconder,

respectively, and by the candidate as assenting to the nomination. Such electors must be persons registered in the electoral rolls of the Cantonment.

22. *Nomination how to be made.*—(1) Each candidate shall be nominated by a separate nomination paper, but the same candidate may be nominated by as many nomination papers as he pleases, and, if any one nomination paper is duly filled up and subscribed, it shall suffice

(2) The same elector may subscribe as many nomination papers as there are vacancies to be filled in his class. Where an elector subscribes a larger number of nomination papers, those first received up to the number allowed shall be deemed to be valid and the remainder shall be invalid. Nomination papers shall be deemed to be subscribed in the order of their receipt under rule 25.

23. *Form of nomination paper.*—The nomination paper shall be in the form shown in Schedule II.

24. *Delivery of nomination papers.*—Every nomination paper shall be delivered by the candidate or by his proposer or seconder at the cantonment office to the Executive Officer before four o'clock on the 27th March and on receipt by him shall be marked with a serial number. The Executive Officer shall at the same time examine the nomination paper and inform the person presenting the nomination paper of any points in which the nomination paper appears defective, but no failure on the part of the Executive Officer to give the information and no defect or error in the information given shall affect the validity of the proceedings.

25. *Procedure on delivery of nomination paper.*—(1) As soon as may be after a nomination paper has been delivered under rule 24, the Executive Officer shall enter the name of the person nominated in a list of nominations to be prepared by him for each class. Such lists shall be fixed at the cantonment office on the 28th March.

(2) The lists of nominations shall be in the form shown in Schedule III.

26. *Scrutiny of nominations.*—The nomination papers shall be examined by a person or persons (hereinafter called the nomination officer or officers) as may be appointed by the Cantonment Authority with the approval of the Secretary to the Resident in this behalf, who shall attend at the cantonment office on the 29th March for a sufficient time between the hours of eleven o'clock in the forenoon and two o'clock in the afternoon and shall decide on the validity of the nomination papers. The nomination officer or officers may declare a nomination paper invalid on the ground that it does not comply with the provisions of rules 20 to 24.

27. *Who may be present at the scrutiny of nominations.*—Each candidate and his proposer and seconder, but no other person, shall be entitled to attend the proceedings before the nomination officer or officers.

28. *Decision of the nomination officer.*—The decision of the nomination officer or officers shall be given in writing, and shall, if declaring a nomination paper to be invalid, be subject to revision by the Secretary to the Resident on the application, made on or before the 31st March, of the person whose nomination has been declared invalid.

29. *If nomination invalid, the Secretary to the Resident to be informed.*—If a nomination paper is declared invalid, the nomination officer or officers shall forthwith transmit the nomination paper and his decision to the Secretary to the Resident.

30. *If the Secretary to the Resident accepts nomination, Executive Officer to be informed.*—If in revision the Secretary to the Resident overrules a decision of the nomination officer or officers, he shall notify his order to the Executive Officer.

31. *Valid nomination.*—(1) Every nomination which has not been declared by the nomination officer or officers to be invalid shall be deemed to be a valid nomination.

(2) A nomination which, having been declared by the nomination officer or officers to be invalid, has been declared by the Secretary to the Resident in revision to be valid shall be deemed to be a valid nomination if notice of the order of the Secretary to the Resident be served on the Executive Officer on or before the 5th April, and not otherwise.

32. *Last of nominations.*—The Executive Officer shall prepare, for each class, a schedule, alphabetically arranged, of the candidates for election whose nomination is valid and who have not withdrawn their candidature. The schedule shall be in the form prescribed by rule 25.

33. *Publication of list of nominations.*—The schedules shall be posted on the 6th April at the places prescribed by rule 9 for the publication of the electoral rolls.

34. *Procedure at election.*—(1) If the number of candidates who are entered in the schedules and who have not withdrawn their candidature before the time fixed for the poll exceeds that of the vacancies, a poll shall be taken on the day for the election in the manner hereinafter provided.

(2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be deemed to be elected.

(3) If the number of such candidates is less than the number of vacancies, all such candidates shall be deemed to be elected and the Cantonment Authority shall call for fresh nominations for the remaining vacancies.

(4) If there are no such candidates, the Cantonment Authority shall again call for nominations.

35. *Polling stations.*—The Cantonment Authority shall provide suitable buildings or booths for each polling station.

36. *Returning officer.*—The Cantonment Authority shall, with the approval of the Secretary to the Resident appoint a person (hereinafter called the returning officer) to preside at the election at each polling station. Every returning officer shall be assisted by one or more persons as he may consider necessary who shall be nominated by him and for whose conduct at the polling station he shall be responsible.

If before or at the time of the election any returning officer refuses to act or becomes incapable of acting as such, the Cantonment Authority shall appoint another fit person to act in his stead.

37. *Copies of electoral roll and list of nominations to be supplied to the Returning officer.*—Every returning officer shall be supplied with a copy of the electoral roll and with a copy of the schedule of valid nominations of candidates for election prescribed by rule 32.

38. *Maintenance of order.*—Each returning officer shall keep order at his station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the persons nominated to assist the returning officer, the clerks, the candidates and the constables on duty; provided that a candidate may appoint an agent duly authorised by a power-of-attorney to appear in his stead at each polling station.

39. *Votes to be given in person.*—Votes must be given in person at the polling station, and no votes shall be received by proxy.

40. *Ballot paper.*—Votes shall be given by ballot. The ballot paper shall be in the form shown in Schedule IV and the names of candidates shall be printed in it in the same order as in the schedule prescribed by rule 32.

41. *Identity of electors.*—(1) When a person presents himself to vote, he shall correctly give his name and such other information as may be needed for the tracing of the entry of his name in the electoral roll to the returning officer or any of his assistants or to the clerk appointed to check the voters by reference to the electoral roll; whereupon but not afterwards, the returning officer or any of his assistants or the clerk may, of his own accord, and shall, if so required by a candidate or his agent, put to the person either or both of the following questions:—

(a) Are you the person enrolled as follows (reading the whole entry from the roll)?

(b) Have you already voted at the present election?



(2) The elector shall not be supplied with a ballot paper if he refuses to answer the question or questions and unless he answers the first question in the affirmative and the second question in the negative.

(3) The name of every person presenting himself to vote and his number on the electoral roll shall be entered in a list maintained in the form shown in Schedule V, and the voter shall thereafter, if he is literate, sign his name in the column provided for that purpose in the said list, or if he is illiterate, shall affix his mark or thumb-impression (as the returning officer or any of his assistants may direct) thereto. Any mark or impression so made shall be attested by a candidate or his agent or by the returning officer or one of his assistants in token of recognition of the voter. If a voter who is unable to sign his name cannot be recognised by any of the aforesaid persons, he shall not vote. The list shall be maintained in separate sheets which shall be consecutively numbered; but it is not essential that only one such sheet shall be in use at the same time.

(4) The voter shall then present the list mentioned in sub-rule (3) to the returning officer or one of his assistants, who after satisfying himself that the list has been duly signed, marked or impressed, shall state the number of votes which may be given, and the conditions, if any, attaching thereto, and shall give to the voter the outer foil of a ballot paper bearing on each side an official mark, at the same time noting on the corresponding counterfoil the number of the voter in the electoral roll and making against the entry of the voter's name in the electoral roll to denote that the elector has received a ballot paper; this entry shall not indicate which ballot paper he has received.

42. *Voting*.—(1) The voter, on receiving the ballot paper, shall forthwith proceed to the place set apart for the purpose and there mark a cross against the name of every candidate for whom he intends to vote; he shall then fold the ballot paper so as to conceal his vote and shall put his ballot paper so folded up into a box (hereinafter called the ballot box).

If a voter is unable to read the ballot paper or to make a cross thereon, the returning officer or one of his assistants shall cause the vote of the voter to be marked on a ballot paper according to the direction of the voter, and the ballot paper shall then be placed in the ballot box.

(2) If more crosses than the voter has votes are marked on any ballot paper, such ballot paper shall be invalid.

(3) The ballot box or ballot boxes shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom unless the box is unlocked.

(4) Just before the commencement of the poll the returning officer shall show the ballot boxes empty to such persons as may be present at the polling station, and shall then lock them up and place his seal upon

them in such manner as to prevent their being opened without breaking such seal, and shall place them in his view or that of his assistants for the receipt of ballot papers and keep them so locked and sealed.

43. *When ballot paper to be invalid.*—Any ballot paper which is not duly marked, or on which any mark has been placed by which the vote may be afterwards identified, shall be invalid.

44. *Tendered votes.*—If a person representing himself to be a particular elector named on the electoral roll, applies for a ballot paper after another person has voted as such elector, the applicant shall, after duly answering such questions as the returning officer or any of his assistants may ask, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in these rules called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and, instead of being put into the ballot box, shall be given to the returning officer or any of his assistants and endorsed by him with the name of the voter and his number on the electoral roll, and set aside in a separate packet, and shall not be counted by the returning officer. The signature, mark or thumb-impression (as the case may be) of the voter shall not be made in the list prescribed by sub-rule (3) of rule 41, but shall be made in a separate list maintained in a similar form, which shall bear the heading “Tendered Votes List”.

44-A. *Spoiled ballot paper.*—A voter who accidentally defaces a ballot paper may be given another, the original and its counterfoil being cancelled at the discretion of the returning officer.

45. *Closing of Poll.*—At the close of the poll, in the presence of the persons nominated to assist the returning officer, and of such candidates or their agents if any, as may be in attendance, the returning officer shall—

- (a) open the ballot box and separate the ballot papers which he admits as valid from those which he deems invalid, endorsing on the latter the word “rejected” and the grounds of rejection;
- (b) count the valid votes given to each candidate and, subject to the provisions of rule 49, declare the election of the candidate or candidates to whom most valid votes have been given;
- (c) prepare and certify a return setting forth (i) the number of persons who presented themselves to vote, (ii) the names of the persons for whom valid votes were given, (iii) the number of valid votes given for each person, (iv) the names of person or persons elected, (v) the number of ballot papers declared invalid, and (vi) the number of tendered ballot papers;

(d) seal up, in separate packets, the counterfoils of ballot papers, the tendered ballot papers, the ballot papers which he has admitted as valid and those which he has rejected as invalid, the list prescribed by rule 41, the "tendered votes list" prescribed by rule 44, unused and spoiled ballot papers and record on each packet a description of its contents and the date of the election to which it relates; and

(e) permit any candidate or his agent to take a copy of, or an extract from the return, and to affix his seal to the packets of ballot papers or to either of them.

46. *Despatch of ballot papers.*—The returning officer shall then forward the return to the Executive Officer and the packets of ballot papers and the marked copy of the electoral roll and lists referred to in rule 45, to the Secretary to the Resident and send or deliver notice of his election to each person elected.

47. *Statement of election papers to be open to inspection.*—The Executive Officer shall cause the return to be deposited in the cantonment office, to be kept there open to the inspection of any candidate or elector during office hours, free of charge, for one month.

48. *Custody, preservation and destruction of election papers: Inspection.*—(1) The Secretary to the Resident shall retain for a year the packets of the ballot papers, the marked copies of the electoral rolls and lists forwarded to him by the returning officers, and shall then, unless there appear to him to be reason for retaining them for a further period, cause them to be destroyed.

(2) While in the custody of the Secretary to the Resident the packets of ballot papers (whether counted, rejected or tendered) and of the counterfoils thereof shall not be opened, and their contents shall not be inspected or produced except under the order of a competent court or a committee appointed to hold an inquiry in respect of the election, to be granted by it only on its being satisfied by affidavit or otherwise that the inspection or production of the ballot papers or counterfoils is necessary for the purpose of a petition questioning an election or return, or for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers; and any such order may be made subject to such conditions as to persons, time, place and mode of opening, inspection or production as the court may think expedient.

(3) All other documents in such custody shall be open to public inspection at such time and under such conditions and on payment of such fees and subject to such regulations as may be prescribed in this behalf by the Secretary to Resident.

49. *Procedure in case of equality of votes.*—Where an equality of votes is found to exist between any persons, and the addition of a vote

would entitle any of those persons to be declared to be elected, the returning officer may give such additional vote in writing, but shall not, in any other case, be entitled to vote at the election.

50. *Obstruction at scrutiny of votes prohibited.*—No person shall obstruct, or in any way interfere with, the examination and counting of votes by the returning officer.

51. *Notices, etc., fixed up under rules not to be removed.*—No person shall deface, injure, disturb or remove any copy, notice or other document fixed up under these rules at the cantonment office or elsewhere.

52. *Roll, etc., not to be altered except under the rules.*—No person shall make or alter any roll, list or other document in contravention of these rules.

53. *Information regarding election not to be divulged.*—No person who is entrusted with any duty in connection with the cantonment election shall divulge or wilfully allow to be divulged any information as to the candidate for whom a vote is given by any voter.

54. *The election petition.*—No election shall be called in question except by an election petition presented in accordance with the provisions of these rules.

55. *Presentation of the petition.*—An election petition against any returned candidate may be presented to the Cantonment Authority by any candidate or elector within one month from the date on which the return prepared under rule 45 is deposited in the cantonment office under rule 47.

56. *Contents of the petition.*—Every election petition shall contain a statement in concise form of the material facts on which the petitioner relies and the particulars of any corrupt practice which he alleges and shall, where necessary, be divided into paragraphs numbered consecutively. It shall be signed by the petitioner and verified in the manner prescribed for the verification of pleadings in the Code of Civil Procedure, 1908, as applied to the Cantonment of Secunderabad.

*Explanation.*—For the purposes of these rules “corrupt practice” means any act deemed to be a corrupt practice under the provision of Schedule VI appended to these rules.

57. *Against whom it may be presented.*—The petitioner may, if he so desires, in addition to calling in question the election of a returned candidate claim a declaration that he himself or any other candidate has been duly elected in which case he shall join as respondents to his petition all other candidates who were nominated at the election.

58. *Deposit of security.*—At the time of presentation of the petition, the petitioner shall deposit with it the sum of two hundred rupees (B. G.) in cash or in Government Promissory Notes of equal value at the market rate of the day as security for the cost of the same.

59. *Appointment of Committee.*—(1) If the provisions of rule 58 are not complied with, the Cantonment Authority shall subject to the approval of the Secretary to the Resident, dismiss the petition.

(2) If the petition is not dismissed under sub-rule 1.

(a) The Cantonment Authority shall appoint either specially for the trial of the said petition or for such petitions generally in respect of the same election a committee consisting of three persons of whom one shall be an officer of Government appointed by the Secretary to the Resident, who shall be the President of the Committee. The Committee shall meet at such time and place within the cantonment as the President may appoint.

(b) If the services of any member of the Committee are not available for the purposes of the inquiry or if, during the course of the inquiry, any member is unable to continue to attend the same, the authority which appointed such member shall appoint another person in his stead and the inquiry shall recommence before the Committee as so reconstituted provided that the Committee may direct that any evidence already recorded may remain upon the record, in which case it shall not be necessary to re-examine those witnesses who have already been examined and discharged.

(c) The President of the Committee shall, as soon as may be, cause a copy of the petition to be served on each respondent and to be published at the cantonment office, and may call on the petitioner to execute a bond in such amount and with such sureties as he may require for the payment of any further costs. At any time within fourteen days after such publication, any other candidate shall be entitled to be joined as a respondent on giving security in a like amount and procuring the execution of a like bond.

60. *Inquiry by the Committee.*—Subject to any other provisions of these rules, every election petition shall be inquired into by the Committee as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908, as applied to the Cantonment of Secunderabad, to the trial of suits, provided that it shall only be necessary for the Committee to make a memorandum of the substance of the evidence of any witness examined by them.

61. *Power to call for and inspect election papers.*—For the purposes of an enquiry under these rules the Committee may call for and inspect election papers in respect of the election to which the inquiry relates and any person who shall have the charge or custody of such papers shall, on requisition by the Committee, be bound to produce the same.

62. *Withdrawal of petition.*—(1) No election petition shall be withdrawn without the leave of the Committee.

(2) If there are more petitioners than one, no application to withdraw a petition shall be made except with the consent of all the petitioners.

(3) When an application for withdrawal is made, notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition and shall be deposited in the cantonment office for the information of the public.

(4) No application for withdrawal shall be granted if the Committee is of opinion that such application has been induced by any bargain or consideration which the committee considers ought not to be allowed.

(5) If the application is granted—

(a) the petitioner shall be ordered to pay the costs of the respondent theretofor incurred or such portion thereof as the Committee may think fit;

(b) the withdrawal shall be reported to the Cantonment Authority who shall publish notice thereof and deposit the same in the cantonment office; and

(c) any person who might himself have been a petitioner may, within seven days of such deposit, apply to be substituted as petitioner in place of the party withdrawing, and, upon compliance with the conditions of rule 58 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Committee may think fit.

63. *Abatement or substitution on death of petitioner.*—(1) An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners.

(2) Such abatement shall be reported to the Cantonment Authority who shall publish notice thereof and deposit the same in the cantonment office.

(3) Any person who might himself have been a petitioner may, within seven days of such deposit, apply to be substituted as petitioner, and, upon compliance with the conditions of rule 58 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Committee may think fit.

64. *Abatement or substitution on death of respondent.*—If before the conclusion of the trial of an election petition the respondent dies or gives notice that he does not intend to oppose the petition, the Committee shall cause notice of such event to be published by being deposited in the cantonment office, and thereupon any person who might have been a petitioner may, within seven days of such publication, apply to be

substituted for such respondent to oppose the petition, and shall be entitled to continue the proceedings upon such terms as the Committee may think fit.

65. *Recrimination when seat claimed.*—Where at an inquiry into an election petition any candidate, other than the returned candidate, claims the seat for himself, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void if he had been the returned candidate and a petition had been presented complaining of his election.

66. *Grounds for declaring election void.*—(1) Save as hereinafter provided in this rule, if in the opinion of the Committee—

- (a) the election of a returned candidate has been procured or induced, or the result of the election has been materially affected, by a corrupt practice, or
- (b) the result of the election has been materially affected by the improper acceptance or refusal of a nomination paper, or by the improper reception or refusal of a vote, or the reception of any vote which is void or by any non-compliance with the provisions of the Act, or these rules, or by any mistake in the use of any form annexed thereto, the election of the returned candidate shall be void.

(2) If the Committee reports that a returned candidate has been guilty by an agent of any corrupt practice which does not amount to any form of bribery other than treating as hereinafter explained or to the procuring or abetment of personation, and if the Committee further reports that the candidate has satisfied it that—

- (a) no corrupt practice was committed at such election by the candidate or his agent, and the corrupt practices mentioned in the report were committed contrary to the orders and without the sanction or connivance of such candidate or his agent, and
- (b) such candidate and his agent took all reasonable means for preventing the commission of corrupt practices at such election, and
- (c) the corrupt practices mentioned in the said report were of a trivial, unimportant and limited character, and
- (d) in all other respects the election was free from any corrupt practice on the part of such candidate or his agent,

then the Committee may find that the election of such candidate is not void.

*Explanation:*—For the purposes of this sub-rule, “treating” means the incurring in whole or in part by any person of the expense of giving

or providing any food, drink, entertainment or provision to any person with the object, directly or indirectly, of inducing him or any other person to vote or refrain from voting or as a reward for having voted or refrained from voting.

67. *Report of the Committee and procedure thereon.*—(1) At the conclusion of the inquiry the Committee shall report whether the returned candidate, or any other party to the petition who has under the provisions of these rules claimed the seat, has been duly elected, and in so reporting shall have regard to the provisions of rule 66.

(2) The report shall further include a recommendation by the Committee as to the total amount of costs which are payable and the persons by and to whom such costs should be paid.

(3) The report shall be in writing and shall be signed by all members of the Committee. The Committee shall forthwith forward their report to the Secretary to the Resident who, on receipt thereof, shall issue orders in accordance with the report and publish the report by causing it to be deposited in the cantonment office, and in such other manner as he thinks fit and his orders shall be final.

68. *Form of report.*—If either in their report or upon any other matter there is a difference of opinion among the members of the Committee, the opinion of the majority shall prevail, and their report shall be expressed in the terms of the views of the majority.

69. *Findings as to corrupt practices and persons guilty thereof.*—Where any charge is made in an election petition of any corrupt practice, the Committee shall record in its report—

- (a) a finding whether a corrupt practice has or has not been proved to have been committed by any candidate or his agent, or with the connivance of any candidate or his agent, and the nature of such corrupt practice,
- (b) the names of all persons (if any) who have been proved at the inquiry to have been guilty of any corrupt practice, and the nature of such corrupt practice, and
- (c) the report may also contain a recommendation that any person who has been proved at the inquiry to have been guilty of any corrupt practice should be declared to be disqualified from being a candidate in any election to the Cantonment Board for a period not exceeding five years. Provided however that such disqualification may at any time be removed by an order of the Resident.

NOTE.—A breach of these rules renders a person liable to the penalty provided by section 268 of the Act. The offences of personation, of undue influence and of bribery at an election are punishable under sections 171-E and 171-F of the Indian Penal Code as amended by the Indian Elections Offences and Inquiries Act, XXXIX of 1920.



**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 535  
under Acts locally applied.)**

**SCHEDULE I.**

*Electoral roll for the Secunderabad Cantonment.*

Serial No.	Name with father's or husband's name.	Address (street and door No.)	Class.	Sub-class.	Head of qualification.

**SCHEDULE II.**

*Form of Nomination paper.*

Cantonment of \_\_\_\_\_ Election of \_\_\_\_\_ members  
( \_\_\_\_\_ ) to be held on the \_\_\_\_\_ day of \_\_\_\_\_  
19 .

We, the undersigned, being electors enrolled in the electoral roll for the Secunderabad Cantonment hereby nominate \_\_\_\_\_ son of \_\_\_\_\_  
(occupation \_\_\_\_\_) residing \_\_\_\_\_  
whose name is entered in the electoral roll, as a candidate at the above election :—

Serial No.	Name.	Father's name.	Occupation.	Address.	Number on the electoral roll.
1	2	3	4	5	6
1					
2					
3					
4					
5					

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

I, the undersigned, being a person qualified for election, hereby assent to being nominated as a candidate at the above election.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

*Signature.*

### SCHEDULE III.

#### *Form of list of nominations.*

Cantonment of \_\_\_\_\_, List of persons nominated for election as  
members of the Cantonment Board, 19 .

Name	*Description.	Abode.	Occupation.
1	2	3	4

\* In this column should be entered caste or nationality or trade or any description of the candidate which renders it easier for the voters to recognise who the candidate is.

### SCHEDULE IV.

#### *Form of Ballot paper.*

##### *Counterfoil of Ballot paper.*

Cantonment of Secunderabad.

Book No.

Serial No.

Election for cantonment members  
held on 19 .

No. of elector on electoral roll.

##### *Ballot paper.*

Cantonment of Secunderabad.

Book No.

Serial No.

Election for cantonment members  
held on 19 .

Serial No.	Name and description* of candidate for election.	Cross (x) of voter.
1	2	3
1	A	
2	B	
3	C	
4	D	
5	E	

\* The description should give caste or nationality or trade or any description of the candidate which renders it easier for the voters to recognise who the candidate is.

*Instructions.*

- (1) The number of members for whom you may vote is
- (2) Place a cross mark thus x against the name of the candidate  
each of the candidates  
for whom you wish to vote.
- (3) You may give all your votes to one candidate or distribute them among the candidates.

SCHEDULE V.

*Signature sheet No.* \_\_\_\_\_

Number on Electoral roll.	Name.	Signature of voter, if literate, or mark of voter with signature of witness, if illiterate.
1	2	3

SCHEDULE VI.

(See rule 56—*explanation.*)

A person shall be deemed to have committed a corrupt practice within the meaning of these rules—

- (i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or
- (ii) who gives, procures, or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to have been committed by a candidate, if it has been committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

*Explanation.*—A “promise of individual profit” includes a promise for the benefit of the person himself, or of any one in whom he is interested.

It does not include a promise to vote for or against any particular cantonment measure.

[Hyderabad Residency Orders, Extraordinary, February 5th, 1926.]

*Tax on houses, buildings and lands in Secunderabad.*

No. 40, dated the 13th November, 1894.—In exercise of the powers conferred by section 17 (1) of the Cantonments Act (XIII of 1889)<sup>1</sup> as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor General in Council, the Resident is pleased to impose in the Cantonment of Secunderabad the tax described in section 29 (1) (a) of the Central Provinces Municipal Act (XVIII of 1889), that is to say, a tax on all houses, buildings or lands situate within the Cantonment (except buildings or lands used exclusively for public worship or duly registered as burial or burning grounds) at the rate of seven per centum on the gross annual letting value of the houses, buildings or lands.

[*Hyderabad Residency Orders*, 1894, Pt. I, p. 310.]

*Water-tax in Secunderabad.*

No. 39-A, dated the 30th September, 1897.—In exercise of the powers conferred by section 17, sub-section (1), clause (a), of the Cantonments Act, 1889 (XIII of 1889),<sup>1</sup> as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor General in Council, the Resident at Hyderabad is pleased to impose in the Cantonment of Secunderabad for the purpose of meeting the expenses connected with the construction and maintenance of works for the supply of water thereto a tax, to be called the water-tax, upon buildings or lands (other than those occupied by military persons) which are so situated that their occupiers can benefit by the said works.

The said tax shall be levied at the rate of 2½ per cent. on the gross annual letting value of such buildings and lands, and shall come into operation with effect from the first day of October, 1897, or such other date as may be fixed by the Resident by notification in the *Hyderabad Residency Orders*.

[*Hyderabad Residency Orders*, 1897, Supplement, p. 199.]

*Conservancy tax in Secunderabad.*

No. 5, dated the 7th February, 1908.—In exercise of the powers conferred by section 17 of the Cantonments Act (XIII of 1889)<sup>1</sup>, as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor General in Council the Resident at Hyderabad is pleased to impose, with effect from the 1st day of April, 1908, a conservancy tax at the rate specified below in the Cantonment of Secun-

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<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924), as applied by Notification No. 260-I., dated the 24th April, 1929, printed *supra*, p. 27.

derabad, in supersession of the latrine tax imposed in *Residency Orders* notification No. 16, dated 15th April, 1896:—

- (a) Houses possessing private latrines: 5 per cent. on the gross annual letting value of the property.
- (b) Houses without private latrines:  $2\frac{1}{2}$  per cent. on the gross annual letting value of the property.

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 24.]

*Tax on vehicles and animals owned by, or in the charge of, persons resident in Secunderabad.*

No. 88, dated the 20th December, 1905.—In exercise of the powers conferred by section 17, sub-section (1), of the Cantonments Act (XIII of 1889)<sup>1</sup>, as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor General in Council, the Resident is pleased to impose in the Cantonment of Secunderabad (inclusive of the area formerly known as the Contingent Station of Bolarum), with effect from the 1st April 1906, the tax described in section 3 of the Bombay Highway Act, 1883 (Bombay Act I of 1883), that is to say, a tax on all carriages, coaches, vans, carts, hackeries, horses and ponies, in accordance with the rates specified in the annexed schedule to be levied from all persons owning or having charge of the same, who are residents within the limits of the said Cantonment: Provided—

- (a) that any person who may have owned or had charge of any vehicle or animal as aforesaid kept for use within the said Cantonment for a period exceeding fifteen and not exceeding thirty consecutive days in any quarter shall be liable to only one-third of the tax for that quarter, and for any period of a quarter exceeding thirty consecutive days shall be liable for the whole tax for that quarter; and
- (b) that no tax shall be leviable in respect of any vehicle or animal as aforesaid which has been out of use for the whole of any quarter, if due notice is given by the owner in accordance with the rules for the assessment and recovery of this tax.

Provided also that nothing in this notification shall be deemed to apply to—

- (i) any vehicles or animals as aforesaid belonging to the Government or vehicles kept for sale by *bona fide* dealers and not used for any other purpose, or hackney carriages tax-

<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924), as applied by Notification No. 260-I., dated the 24th April, 1929, printed *supra*, p. 27.

able under the Secunderabad Hackney Carriage Law, 1887; or

- (ii) any persons who are specially exempt from Cantonment taxation under any rules or law for the time being in force, or any persons whom the Resident at Hyderabad may, by an order in writing, exempt from the tax imposed by this notification; or
- (iii) officers' chargers; or
- (iv) any person who earns his livelihood wholly or principally by agriculture carried on within the limits of the said Cantonment; or
- (v) any class of person carrying on any petty trade, dealing or industry in the said Cantonment whom the Resident at Hyderabad may, from time to time, by notification<sup>1</sup> in the local Gazette, exempt from the tax imposed by this notification.

1. For the purposes of this Notification, the word "resident" includes any person who dwells or takes up his abode within the limits of the Cantonment of Secunderabad for a period exceeding fifteen days.

#### SCHEDULE.

	Per quarter. Rs. A. P.
(1) For a four-wheeled vehicle on springs, except a motor-car . . . . .	5 0 0
(2) For a four-wheeled motor car on springs . . . . .	7 8 0
(3) For a two-wheeled vehicle on springs . . . . .	3 0 0
(4) For a cart or hackery drawn by bullocks . . . . .	1 2 0
(5) For a horse or pony of the height of 12 hands or upwards . . . . .	2 8 0
* . . . . *	*

[*Hyderabad Residency Orders*, 1906, Pt. I, p. 1.]

#### *Tax on motor cycles, in Secunderabad.*

No. 15-J., dated the 7th February, 1927.—In exercise of the powers conferred by Sections 60 to 63 of the Cantonments Act, (II of 1924), as applied to the Cantonments of Secunderabad and Aurangabad, the Resident is pleased to direct the levy with effect from the 1st April, 1927, of a tax at the rate of H. S. Rs. 2-8-0 (Rupees two and annas eight only), a quarter, on all motor cycles kept in the Cantonment of Secunderabad, subject to the provisos to *Residency Orders* Notification No. 88<sup>2</sup>, dated

<sup>1</sup> Notification No. 46, dated the 20th September, 1906, exempts "dealers in grass and milk in the Cantonment." *Hyderabad Residency Orders*, 1906, Pt. I, p. 95.

<sup>2</sup> Printed immediately above.

the 20th December, 1905, the same having been previously published as required by Section 61 of the said Act.

[*Hyderabad Residency Orders*, 1927, Pt. I, p. 25.]

*Tax on dogs, in Secunderabad.*

No. 79-J., dated the 1st September, 1919.—In exercise of the powers conferred by sub-section (1) of section 15 of the Cantonments Act, 1910<sup>1</sup> (XV of 1910), as applied to the Cantonment of Secunderabad by the Notification of the Government of India in the Foreign Department, No. 582-I.B.,<sup>1</sup> dated the 22nd March, 1913, and with the previous sanction of the Governor General in Council, the Resident is pleased in supersession of *Residency Orders* Notification No. 103-J., dated the 19th October 1910, to impose with effect from the 1st January 1920, a tax on all dogs kept within the limits of the Secunderabad Cantonment to be levied at the following rates:—

Hali Sikka Re. 1 for one dog for each year or part of a year.

Hali Sikka Rs. 1-8-0 for each dog for each year or part of a year in the event of an owner possessing two dogs.

Hali Sikka Rs. 2 for each dog for each year or part of a year in the event of an owner possessing three dogs.

Hali Sikka Rs. 6 for each extra dog in excess of three for each year or part of a year, in the event of an owner possessing more than three dogs, the tax on the first three being Hali Sikka Rs. 2 each for each year or part of a year.

Provided that no tax shall be leviable—

(a) on any dog kept within the Cantonment limits for a period not exceeding one month in any year;

(b) on any dog borne on the registers referred to in section 68, sub-section (2), clause (a), of the Secunderabad Cantonment Code, 1913.

[*Hyderabad Residency Orders*, 1919, Pt. I, p. 623.]

(a) *Tax on house, lands and buildings*, (b) *Water tax*, (c) *Latrine tax in Aurangabad.*

No. 91-J., dated the 15th December, 1911.—In exercise of the powers conferred by section 15 (1) of the Cantonments Act, 1910<sup>1</sup> (XV of 1910), as applied to the Cantonment of Aurangabad \* \* and with the previous sanction of the Governor General in Council, the Resident at Hyderabad

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<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924), as applied by Notification No. 260-I., dated the 24th April, 1929, printed *supra*, p. 27.

is pleased to impose the following taxes at the rates specified below in the Cantonment of Aurangabad with effect from the 1st January 1912.

*A. Tax on houses, lands and buildings.*— $7\frac{1}{2}$  per cent. on the gross annual letting value of houses, lands or buildings:

Provided that the tax shall not be levied on lands duly registered as burial or burning grounds: on any building or land the property of the State: on any building used exclusively as a place of public worship: on a serai, dispensary or hospital that is maintained for the purpose of giving relief to indigenous persons: or on a building used as a school, provided that such school is recognised by the local educational authorities and is not conducted for private profit.

*B. Water tax.*—<sup>1</sup>[7] per cent. on the gross annual letting value of buildings and land.

Provided that—

- (1) In the case of houses which have no separate service for a domestic supply, no house shall be liable to the tax of which no part is within a radius of 600 feet from the nearest stand-pipe or other supply of water available to the public:
- (2) The tax shall not be levied on buildings or lands used exclusively for public worship or duly registered as burial or burning grounds, <sup>2</sup>[or on any building or land the property of the State and used for Government purposes, except such buildings as are occupied as residential quarters.]

*C. Latrine Tax—*

- (a) Houses possessing private latrines,  $7\frac{1}{2}$  per cent. on the gross annual letting value of the property.
- (b) Houses without private latrines,  $2\frac{1}{2}$  per cent. on the gross annual letting value of the property.

The taxes shall be paid as follows:—

*A. By the owner.*

*B. 1. In the case of houses as defined in the Cantonments (House Accommodation) Act, 1902 (II of 1902), by the occupier:*

*C. 2. In the case of all other houses, by the owner.*

[*Hyderabad Residency Orders, 1912, Pt. I, p. 1.*]

<sup>1</sup>Substituted by Notification No. 4-J., dated the 19th January, 1912. *Hyderabad Residency Orders, 1912, Pt. I, p. 9.*

<sup>2</sup>Added by Notification No. 59-J., dated the 6th August, 1914. *Hyderabad Residency Orders, 1914, Pt. I, p. 88.*



*Tax on dogs in Aurangabad.*

No. 5-J., dated the 23rd January, 1920.—In exercise of the powers conferred by sub-section (1) of Section 15 of the Cantonments Act, 1910<sup>1</sup> (XV of 1910), as applied to the Cantonment of Aurangabad by the Notification of the Government of India in the Foreign Department, No. 582-I.B.,<sup>1</sup> dated the 22nd March, 1913, and with the previous sanction of the Governor General in Council, the Resident is pleased in supersession of Notification No. 13, dated the 15th February 1907, to impose with effect from the 1st April, 1920, a tax on all dogs kept within the limits of the Aurangabad Cantonment to be levied at the following rates:—

Hali Sikka Re. 1 for one dog for each official year or part of a year.

Hali Sikka Rs. 1-8-0 for each dog for each official year or part of a year, in the event of an owner possessing two dogs.

Hali Sikka Rs. 2 for each dog for each official year or part of a year, in the event of an owner possessing three dogs.

Hali Sikka Rs. 6 for each extra dog in excess of three for each official year or part of a year, in the event of an owner possessing more than three dogs the tax on the first three being Hali Sikka Rs. 2 each, for each official year or part of a year.

Provided that no tax shall be leviable—

- (a) on any dog kept within the Cantonment limits for a period not exceeding one month in any official year;
- (b) on any dog borne on the registers referred to in section 68, sub-section (2), clause (a), of the Aurangabad Cantonment Code, 1913.

[*Hyderabad Residency Orders*, 1920, Pt. I, p. 91.]

*Exemptions from the tax on houses, buildings and lands in Secunderabad.*

No. 4371-I.B., dated the 1st December, 1897.—In exercise of the powers conferred by section 20 of the Cantonments Act, 1889<sup>1</sup> (XIII of 1889), as applied to the Cantonment of Secunderabad \* \* the Governor General in Council is pleased to declare that buildings in the said Cantonment shall be exempt from payment of the tax imposed on houses, buildings and lands by the *Hyderabad Residency Orders*,<sup>2</sup> notification

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<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924), as applied by Notification No. 260-I., dated the 24th April, 1929, printed *supra*, p. 27.

<sup>2</sup> Printed *supra*, p. 538.

No. 40, dated the 13th November 1894, in the cases and to the extent hereinafter stated, namely:—

1. When any building, in any lines or quarters, has been occupied by a native soldier or follower, regimental or departmental, such building shall be exempt from payment of the said tax for the period of such occupation.

2. (a) When any building has remained unoccupied and unproductive of rent throughout the year, or the period in respect of which any instalment is payable, such building shall be exempt from payment of the said tax or instalment for the said year or period, as the case may be.

(b) When any building has remained unoccupied and unproductive of rent for any period of not less than sixty consecutive days, such building shall be exempt from payment of so much of the said tax or instalment as is proportionate to the number of days during which such building has not been occupied or productive of rent:

Provided that no such exemption shall be made unless notice in writing of the circumstances under which it is claimed has been given to the Cantonment authority within the first fourteen days of the period in respect of which it is so claimed.

3. The burden of proving the facts entitling any person to claim relief under this notification shall lie upon him.

4. Neither the presence of a care-taker nor the mere retention in an otherwise unoccupied dwelling-house of the furniture habitually used in it shall constitute occupation of the house.

5. A building shall be deemed to be productive of rent if let to a tenant who has a continuing right of occupation thereof, whether it is actually occupied by such tenant or not.

[*Gazette of India*, 1897, Pt. I, p. 1078.]

*Exemption of soldiers' bicycles from taxation in Secunderabad and Aurangabad.*

No. 4532-I.A., dated the 10th October, 1902.—In exercise of the powers conferred by section 20, sub-section (1) of the Cantonments Act, 1889 (XIII of 1889)<sup>1</sup> as applied to the Cantonment of Secunderabad \* \* the Governor General in Council is pleased to exempt all warrant officers, non-commissioned officers and soldiers of the regular forces from the operation of any tax which may be for the time being imposed on cycles in the said Cantonments.

[*Gazette of India*, 1902, Pt. I, p. 738.]

<sup>1</sup> See now the Cantonments Act, 1924 (II of 1924), as applied by Notification No. 260-I., dated the 24th April, 1929, printed *supra*, p. 27.

*Secunderabad and Aurangabad Cantonments Property Rules, 1926.*

No. 261-I., dated the 9th June, 1926.—In exercise of the powers conferred by section 111 of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonments of Secunderabad and Aurangabad, the Governor General in Council is pleased to make the following rules:—

CANTONMENT PROPERTY RULES.

1. *Short Title.*—These rules may be called the Secunderabad and Aurangabad Cantonments Property Rules, 1926.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

- (a) “the Act” means the Cantonments Act, 1924 as applied to the Cantonments of Secunderabad and Aurangabad;
- (b) “immoveable property” includes land, benefits to arise out of land and things attached to the earth or permanently fastened to things attached to the earth; but does not include standing timber, growing crops or grass;
- (c) “moveable property” includes standing timber, growing crops and grass, fruit upon and juice in trees, bark, lac, and property of every other description except immoveable property.

3. *Registers of Cantonment property.*—Registers of immoveable and moveable property, which vest in and belong to the Cantonment Authority shall be maintained by the Cantonment Authority in the forms prescribed by rules 70 and 71 of the Secunderabad and Aurangabad Cantonments Account Code, 1926, and all additions to or alterations in the holdings of the Cantonment Authority shall be recorded therein.

4. *Purchase or lease of land.*—Subject to the provisions of section 109 and section 110 of the Act, the Cantonment Authority may purchase or take on lease any immoveable property that may be required for an immediate and definite purpose connected with the administration of the Cantonment. Provided that the Cantonment Authority shall not acquire any interest in any such property within the limits of the Cantonment except with the sanction of the Officer Commanding-in-Chief, the Command.

5. *Application for acquisition of land under the Land Acquisition Act, 1894.*—In making an application to the Local Government under section 110 of the Act for the acquisition of land, the Cantonment Authority shall state clearly the necessity for the acquisition and shall submit an estimate of the compensation to be paid and of the revenue, if any, to be remitted. The Cantonment Authority shall also certify that acqui-

tion by private contract has been found impracticable or is, for special reasons, undesirable.

6. *Transfer by Cantonment Authority of immoveable property.*—Immoveable property which vests in and belongs to the Cantonment Authority shall not be transferred to any person by the Cantonment Authority by way of sale, mortgage or exchange, or otherwise than by lease without a premium, except with the previous sanction of the Government of India and in such manner and on such terms and conditions as the Government of India may approve.

<sup>1</sup>[7. *Leases by Cantonment Authority.*—Subject to the provisions of Section 200 of the Act regarding public markets and slaughter houses, immoveable property which vests in and belongs to the Cantonment Authority may be leased by the Cantonment Authority without a premium on the following conditions, namely:—

- (1) that a reasonable rent is reserved and made payable during the whole term of the lease;
- (2) that the lease, or the agreement for the lease, is not made for any term without the previous sanction of the Cantonment Authority by resolution at a general meeting; or for any term exceeding five and not exceeding thirty years without the sanction of the Officer Commanding-in-Chief, the Command; or for any term exceeding thirty years without the sanction of the Government of India.]

8. *Power to transfer immoveable property to His Majesty.*—Notwithstanding anything contained in these rules, the Cantonment Authority may, with the consent of the Government of India, transfer to His Majesty any immoveable property which vests in and belongs to it under section 108 of the Act, but not so as to affect any trusts or public rights subject to which the property is held.

9. *Power to acquire and transfer moveable property.*—Subject to the provisions of section 109 of the Act, the Cantonment Authority may acquire any moveable property that may be required for the purposes of the Act, and may transfer any moveable property which vests in and belongs to the Cantonment Authority in any way and on any terms that it may, by resolution at a general meeting, determine to be expedient and reasonable.

[*Gazette of India*, 1926, Pt. I, p. 681.]

*Travelling allowance of members of the Secunderabad Cantonment Boards.*

No. 235-I., dated the 26th May, 1926.—In exercise of the powers conferred by section 280 of the Cantonments Act, 1924 (II of 1924), as

<sup>1</sup>Substituted by Notification No. 401-I., dated the 4th July, 1927. *Gazette of India*, 1927, Pt. I, p. 673.

applied to the Cantonment of Secunderabad, the Governor General in Council is pleased to make the following rule to regulate the payment of travelling allowance to members of the Secunderabad Cantonment Board:—

RULE.

1. (1) Travelling allowance may be paid to a member of the Secunderabad Cantonment Board on account of a journey undertaken, whether within or without the Cantonment, in pursuance of his duties as such member, or as a member of a Committee of the Board,—Provided that the undertaking of the journey has been sanctioned by resolution of the Board, and that in the case of a journey the travelling allowance in respect of which exceeds fifty rupees, the resolution has been confirmed by the Officer Commanding-in-Chief, the Command.

(2) The travelling allowance paid under sub-rule (1) shall not exceed the actual expenditure incurred on the journey or the amount of the travelling allowance which would be admissible in respect of the same journey to a first grade Government servant under the rules for the time being in force in the Administered Areas in the Hyderabad State, whichever is less.

[*Gazette of India*, 1926, Pt. I, p. 651.]

*Secunderabad and Aurangabad Cantonment Fund Servants Rules, 1926.*

No. 365-I., dated the 19th July, 1926.—In exercise of the powers conferred by Section 280 of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonments of Secunderabad and Aurangabad, the Governor General in Council is pleased to make the following rules:—

RULES.

*Preliminary.*

<sup>1</sup>[A. 1. These rules may be called the Secunderabad and Aurangabad Cantonment Fund Servants Rules, 1926.]

1. In these rules unless there is anything repugnant in the subject or context—

- (a) the “ Act ” means the Cantonments Act, 1924, as applied to the Cantonments of Secunderabad and Aurangabad;
- (b) “ depositor ” means a servant on whose behalf a deposit is made under these rules;
- (c) “ interest ” means the interest which is paid on a deposit in a Government Savings Bank or in the Imperial Bank of India under the rules in force for such institutions;

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<sup>1</sup> Inserted by Notification No. 302-I., dated the 2nd May, 1929. *Gazette of India*, 1929, Pt. I, p. 664.

- (d) “menial servant” means a servant employed by a Cantonment Authority and declared by such Cantonment Authority by resolution to be a menial servant for the purpose of these rules.
- (e) “salary” includes all fixed monthly allowances by way of pay or personal allowances, paid from cantonment funds, but does not include allowances granted to meet specific expenditure such as travelling, horse, conveyance or house rent allowances, whether daily, monthly or yearly;
- (f) “servant” means a person holding a substantive whole time appointment under a Cantonment Authority whether in receipt of a pension from public revenues or not;
- (g) “temporary servant” means a servant appointed under rule 7.

#### PART I.—GENERAL.

##### *Cantonment Fund Servants.*

2. Chapters I to XI of the Fundamental Rules made by the Secretary of State in Council under section 96-B of the Government of India Act shall, so far as they are not inconsistent with these rules, be deemed to apply to all servants of a Cantonment Authority.

3. Subject to the provisions of the Act and of the rules made thereunder, every Cantonment Authority shall determine what servants are required for the proper and efficient execution of its duties, and shall fix the salaries to be paid to such servants out of the Cantonment Fund.

4. (1) All first appointments to service (other than menial service) under a Cantonment Authority shall be on probation, and no person shall be confirmed in his first appointment until he has satisfied the Cantonment Authority by probationary service for such period, not being less than six months, as the Cantonment Authority may determine, that he is fully qualified to hold such appointment.

(2) For the purposes of these rules a servant who has been confirmed in his appointment after a period of probationary service shall be deemed to have commenced his service as a servant of the Cantonment Authority from the date of his appointment on probation.

5. (1) The Executive Officer shall appoint all servants of the Cantonment Authority whose salary on appointment will not exceed twenty-five rupees per mensem; all other servants shall be appointed by the Cantonment Authority.

(2) The Executive Officer shall—

- (a) apportion and control and superintend the performance of duties of,
  - (b) disburse the salaries of, and
  - (c) deal with applications for leave of absence from,
- all servants of the Cantonment Authority.

(3) No person shall be appointed under this rule who has been dismissed from employment under the Government or any cantonment or local authority.

6. (1) In the absence of a written contract to the contrary, every servant employed by a Cantonment Authority shall be entitled to three months' notice before discharge or to three months' wages in lieu thereof unless he is discharged during a period of probation, or unless he is removed or dismissed under rule 9.

(2) If a servant employed by a Cantonment Authority, in the absence of a written contract authorising him so to do, and without reasonable cause, resigns his employment or absents himself from his duties without giving one month's notice to the Cantonment Authority, he shall be liable to forfeit such sum, not exceeding one month's wages, out of the wages due to him, as the Cantonment Authority may, by general or special order, direct.

7. When in the opinion of the President of the Board, or where there is no Board, of the Officer Commanding the Station, the employment of temporary servants is necessary, the President, or the Officer Commanding the Station, as the case may be shall appoint such temporary servants on such conditions as may be considered necessary:

Provided that—

<sup>1</sup>[(a) the President of the Board in the exercise of this power shall not act in contravention of an order of the Board prohibiting the employment of temporary servants for any particular work, and shall report in writing every appointment under this rule for the approval of the Board at the next meeting following the appointment;

(b) all such appointments shall be reported to the Officer Commanding-in-Chief, the Command, for confirmation, by the President of the Board or the Officer Commanding the Station, as the case may be, the report in the first-named case being made after the approval of the Board has been obtained in accordance with clause (a) and in either case being accompanied by a full explanation of the conditions which have given rise to the appointments;

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<sup>1</sup> Substituted by Notification No. 302-I., dated the 2nd May, 1929. *Gazette of India*, 1929, Pt. I, p. 664.

- (c) if the approval of the Board or the confirmation of the Officer Commanding-in-Chief, the Command, is withheld in the case of any such appointment, the appointment shall be terminated forthwith.]

8. The Officer Commanding-in-Chief, the Command, may if in his opinion the number of servants employed or proposed to be employed by a Cantonment Authority or the salary assigned by the Cantonment Authority to any such servants is excessive, require the Cantonment Authority to reduce the number of such servants or the amount of such salary, as the case may be, within such time as he may fix and the Cantonment Authority shall, subject to the provisions of sub-rule (1) of rule-6 and of any lawful contract between the servant and the Cantonment Authority comply with such requisition:

Provided that reasonable opportunity shall be given to the Cantonment Authority to show cause in writing why such reduction should not be made.

*Suspension, removal, dismissal, etc., of Cantonment Fund Servants.*

9. The Cantonment Authority, or the officer appointing a servant of the Cantonment Authority may, for reasons to be recorded in writing, fine, suspend, reduce, discharge, remove or dismiss such servant:

Provided that in the case of a servant who is in receipt of a monthly salary exceeding twenty-five rupees, the powers conferred by this rule shall be exercised only by the Cantonment Authority:

Provided further that—

- (i) no fine shall be imposed upon any servant other than a menial servant and in no case shall a fine exceed one week's salary of the servant fined;
- (ii) no servant shall be removed or dismissed otherwise on proof of dishonesty or of repeated neglect or disobedience of orders, or of continued inefficiency or of any other circumstance by reason of which the officer or authority concerned is of opinion that his retention in service would be detrimental to the efficient administration of the cantonment;
- (iii) a list of all punishments inflicted under this rule by the Executive Officer shall be submitted monthly to the Cantonment Authority.

10. Before a servant of the Cantonment Authority, other than a menial servant, is reduced, removed or dismissed the charge against him. his defence and the order thereon shall be committed to writing; he shall be allowed an opportunity of cross-examining witnesses against



him and of producing witnesses in his own behalf. If reduced, removed or dismissed, he shall be furnished with a copy of the document showing the grounds on which his reduction, removal or dismissal was ordered. In the event of the reduced, removed or dismissed servant appealing, these documents, together with his character roll or service book, if any, shall be forwarded with the memorandum of appeal.

11. Any servant who has been reduced, removed or dismissed by the Executive Officer shall, within 30 days from the date of the order of reduction, removal or dismissal, be entitled to appeal <sup>1</sup>[to the Cantonment Authority. If his appeal is rejected by the Cantonment Authority he will be entitled to submit a further appeal, within 30 days from the date of the order passed by the Cantonment Authority, to the Officer Commanding-in-Chief, the Command, whose decision shall be final].

12. Any servant who has been reduced, removed or dismissed by the Cantonment Authority shall, within 30 days from the date of the order of reduction, removal or dismissal, be entitled to appeal to the <sup>1</sup>[Officer Commanding-in-Chief, the Command,] whose decision shall be final. .

*Gratuity on retirement.*

13. (1) If a servant of a Cantonment Authority is not a Government official, and is not eligible to subscribe to the Cantonment Provident Fund, the Cantonment Authority may grant him a gratuity but no pension on retirement. The amount of such gratuity shall not exceed the sum which would be payable if the service, in respect of which it is paid, had been service under Government.

(2) In this rule " Government " shall mean the Government of India or any local Government.

*Service Books.*

14. A service book shall be kept for every servant of the Cantonment Authority whose salary is Rs. 20 a month or over, and shall be maintained in the form prescribed in the Civil Service Regulations.

15. The service book shall be supplied to every such servant at his own cost on his first appointment. It shall be kept in the custody of the Executive Officer and may be given up to the servant if he resigns or is discharged without fault, an entry being first made therein to this effect.

16. (1) Full details of the service, pay, leave, periods of suspension from employment or other interruptions in service and references

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<sup>1</sup> Substituted by Notification No. 477-I., dated the 22nd August, 1927. *Gazette of India*, 1927, Pt. I, p. 864.

to any records, specially to any good or bad services shall, as occasion arises, be entered in the service book by the Executive Officer.

(2) The Executive Officer shall see that all entries in the service book are duly made and attested. There shall be no erasure or overwriting, all corrections being neatly made and properly attested.

17. It shall be the duty of every servant of the Cantonment Authority to see that his service book is properly kept up, and that the entries on the first page are attested annually.

*Termination of service.*

18. No servant, other than a menial servant, shall ordinarily be retained in the service of a Cantonment Authority after he attains the age of 55 years, and if any such servant is so retained, the reasons for his retention shall be recorded in writing by the Cantonment Authority.

*Security to be furnished by certain servants of Cantonment Authority.*

19. (1) The Executive Officer shall require every servant of the Cantonment Authority who is entrusted with the receipt, custody or control of property or monies or securities for money, to furnish security for the due discharge of his office, of a value equivalent to the aggregate value of the maximum amount of monies or securities for money which the servant concerned is ordinarily likely to have in his hands at any one time.

(2) No security shall be accepted other than a deposit of:—

- (a) cash, or
- (b) Government securities, or
- (c) shares in the Imperial Bank of India, or
- (d) debentures or other securities for money issued by or on behalf of a local authority.

*Explanation.*—For the purposes of clause (a), “cash” shall be deemed to include a Savings Bank deposit if pledged to the President of the Cantonment Board, or where there is no Board, to the Officer Commanding, the Station.

(3) The securities, shares, and debentures referred to in clauses (b), (c) and (d) of sub-rule (2) shall be accepted at their market value at the time of deposit.

20. Every servant, to whom rule 19 applies, shall execute a bond in the appropriate form included in schedule I to these rules. Such security bonds shall be kept in the same custody as the other valuables belonging to the Board.

21. The Executive Officer shall, on or about the first day of January in each year, submit to the Cantonment Authority a report as to the sufficiency of the security furnished by or on behalf of its servants.

22. The Executive Officer shall deal in the manner prescribed in the Government Securities Manual with all monies and securities deposited as security by or on behalf of servants of the Cantonment Authority.

23. Any servant failing to furnish the security required by these rules for more than one month after he has been called on to do so, shall be liable to forfeit his appointment.

24. Deposits given as security shall not be claimable till after the lapse of 6 months from the date on which the depositor leaves the service of the Cantonment Authority.

#### *Casual Leave.*

25. No servant shall be entitled as of right to casual leave, and such leave shall not be granted to any such servant, save in exceptional circumstances at the discretion of the Executive Officer, for more than 10 days in any one year.

#### *Travelling Allowance.*

26. A Cantonment Authority may fix the rate of travelling allowance to be drawn by its servants; such rate shall not exceed the rate for the time being admissible to Government servants of the corresponding class employed in the Cantonment.

#### *Pension.*

27. Save in the case of a servant who is a Government official, or who was entertained prior to the 4th November 1905, or who held on the 19th January 1925, a permanent appointment pensionable from Madras Provincial Revenues, service paid for from the Cantonment Fund shall not qualify for pension.

### PART II.—PROVIDENT FUNDS.

#### *Establishment of Fund.*

28. The Cantonment Authority shall establish and maintain a Provident Fund for the benefit of its servants.

#### *Rate and realization of subscription.*

29. Every servant employed by a Cantonment Authority and appointed or promoted on or after the date of the commencement of these rules to an office of which the salary is not less than Rs. 20 per mensem, shall be required to subscribe at the rate of  $6\frac{1}{2}$  per cent. or one anna in the rupee, on his salary, to the Provident Fund. Subscriptions shall be recovered by the Cantonment Authority by deduction from every

salary bill presented, and shall be credited at once to the fund. In making such deductions fractions of a rupee of salary shall be omitted.

30. All servants employed by a Cantonment Authority under the Cantonments Act, 1910, as applied to the Cantonments of Secunderabad and Aurangabad, who were subscribers to a Provident Fund maintained by the Cantonment Authority, and who are continued in the employ of the Cantonment Authority under the Cantonments Act, 1924, as so applied shall be continued as subscribers to the Provident Fund established under these rules and the amount at the credit of every such servant shall be brought forward in the accounts maintained under these rules.

31. At the time of making his first deposit a depositor shall be required to furnish a written declaration in the form included in schedule II particularising the person or persons by whom he is desirous that the whole or any portion of his deposit shall be received in the event of his death. Such declaration shall, whenever possible, be in the handwriting of the depositor and shall be signed by him. The declaration shall be attested by two witnesses. The depositor shall be empowered to revise, or revoke any declaration at any time and from time to time. A fresh declaration shall become operative only on being received by the Executive Officer. All declarations for the time being in force shall be carefully recorded by a responsible officer.

*Contribution by the Cantonment Authority to deposit account of each servant.*

32. (1) The Cantonment Authority shall make a contribution to the deposit account of each depositor, equal to, but not exceeding, one half of the amount of the deduction made from his salary under rule 29. Such contribution shall be credited to the Provident Fund, month by month, in favour of such servant, together with the deduction from his salary. The contribution shall be charged in the cantonment accounts to Head H—Contributions for General Purposes.

(2) In addition to the contribution made under sub-rule (1), the Cantonment Authority may, if it deems fit, make further contributions, hereinafter called bonuses, to be credited to the Provident Fund in favour of any servant as follows:—

After 10 years approved service, 2 months' pay.

After 15 years approved service, 3 months' pay.

After 20 years approved service, 3 months' pay.

After 25 years approved service, 4 months' pay.

After 30 years approved service, 4 months' pay.

Such bonuses are cumulative, that is, a servant who has received a bonus after serving 10 years may after serving 5 more years receive a second bonus and so on. Approved service may be reckoned as from the date of commencement of service, but no application for a bonus shall be considered unless it is preferred within six months from the date at which the depositor becomes eligible for a bonus.

(3) For the purpose of sub-rule (2), "Pay" means the pay of the depositor on the date on which he becomes eligible for a bonus.

(4) No contribution shall be made by the Cantonment Authority on the subscription paid by the depositor for any period during which he has been suspended as a penalty for misconduct. .

*Investment.*

33. All subscriptions and contributions under these rules shall be credited into the Provident Fund and paid into the Imperial Bank of India (Savings Bank) or in the Post Office Savings Bank, as the case may be, between the 1st and 4th of the month on which they become due. Such other money as may subsequently become due in any month shall be credited to the Provident Fund and paid into the Imperial Bank or the Post Office Savings Bank as quickly as possible in order that interest may accrue.

These deposits may be invested in Government Securities in accordance with Rule 46 of the "Rules for the guidance of depositors in the Post Office Savings Bank". The deposit may also be invested in Government of India loans.

*Withdrawal on retirement or death.*

34. The amount of the subscriptions and contributions, with interest thereon, at the credit of any servant, shall be withdrawn from the Provident Fund:—

- (1) On the decease of the depositor, when such amount with interest up to the date of withdrawal shall be divided among the beneficiaries in accordance with the directions contained in the declaration form;
- (2) On his ceasing to be a servant of the Cantonment Authority otherwise than by transfer to the employment of another Cantonment Authority when such amount shall be paid to him;

Provided that the amount of the contributions with interest thereon may be withheld in the case of a servant who has been dismissed for misconduct or has resigned the service of the Cantonment Authority within five years of his appointment

thereto otherwise than on medical grounds established to the satisfaction of the Cantonment Authority.

- (3) On his transfer to the employment of another Cantonment Authority, when such amount shall, at the option of the depositor, either be paid to the depositor, or transferred by money order to the Cantonment Authority to which he transfers, for credit into his account in the Provident Fund of that cantonment.

*Advance for special purposes.*

35. (1) No withdrawal of the amount at the credit of a depositor in the Provident Fund shall be allowed except as provided in rule 34; provided that when the pecuniary circumstances of a subscriber are such that in the opinion of the Cantonment Authority the indulgence is absolutely necessary, a temporary advance, not ordinarily exceeding three months' pay and in no case exceeding the amount of the depositor's own subscriptions to the fund with interest thereon, may be allowed from the sum at his credit.

(2) The following are instances of the objects for which such advances may legitimately be allowed:—

- (a) to pay expenses incurred in connection with the illness of a subscriber or of a member of his family;
- (b) to pay for the passage of any member of a subscriber's family coming from beyond the sea to join him or requiring to make a journey beyond the sea;
- (c) to pay expenses in connection with marriages, funerals, or ceremonies which by the religion of the subscriber it is incumbent upon him to perform, and in connection with which it is obligatory that expenditure should be incurred;
- (d) to build a house for occupation by the subscriber himself at the place where he is actually serving or at which he is permitted to reside while in active service.

- (3) Advances are not confined rigidly to the objects set forth in sub-rule (2) but shall be made with due regard to the requirement contained in the proviso to sub-rule (1) as illustrated by the examples set forth in sub-rule (2).

36. (1) The order sanctioning the advance shall state the specific purpose for which the advance is granted. Where this purpose is of a confidential nature, it may be communicated to the audit officer personally and confidentially.

(2) When an advance has been granted to a subscriber, subsequent advances shall not be granted to him except for strong reasons to be

recorded in writing by the Cantonment Authority until at least twelve months have elapsed since the complete repayment of the last advance taken.

37. (1) Advances will be recovered at the discretion of the Cantonment Authority, in not less than twelve instalments or more than twenty-four. A subscriber may, however, at his option make repayment in less than twelve instalments or may repay two or more instalments at the same time.

(2) In determining the advance to be sanctioned, due regard shall be paid to the amount of subscriptions lying to the credit of the applicant. The amount of the advance shall be a sum expressed in whole rupees and ordinarily, the monthly instalments shall also be in whole rupees, the advance applied for being raised or reduced, if necessary, to enable instalments to be thus fixed.

(3) Recoveries shall be made monthly, commencing from the first payment of a full month's salary after the advance is granted, but no recovery shall be made from a subscriber while he is on leave of any kind other than casual leave.

(4) When in accordance with rule 36 two or more advances are made, each advance shall be treated separately and the monthly deduction of not less than one twenty-fourth of each advance shall be made until that advance is cleared.

(5) The instalments shall be paid by compulsory deductions from salary, and shall be in addition to the usual subscription.

38. When an advance is repaid, as regards principal, in not more than twelve instalments, a 13th instalment, representing interest, and equivalent to 4 per cent. of the amount of the advance, shall be paid in the month following that in which the last instalment is paid. Similarly, an additional instalment equivalent to 8 per cent. of the total amount of the advance shall be paid when the advance is repaid in more than twelve instalments. In calculating such additional instalments a fraction of a rupee if it exceeds eight annas, shall be taken at the next higher whole rupee, and if it does not exceed eight annas shall be ignored.

39. The sum at the credit of a depositor shall not be liable to forfeiture on dismissal or on conviction by a Criminal Court, except for an offence for which the penalty of forfeiture of the whole of the offender's property is prescribed by law.

40. If any payment has to be made during the year on an individual deposit account under rule 34 interest shall be calculated on that account only as nearly as possible in accordance with the rules in force in the Imperial Bank or Post Office Savings Bank.

41. A copy of the account of each depositor shall be furnished to him as soon as possible after the close of the financial year to which the account relates, and not later than the fifteenth day of the following month, or at the time of payment in the case of accounts closed in accordance with rule 34.

*Prohibition of voluntary deposits.*

42. No deposits from servants other than those authorised by these rules shall be credited to the Provident Fund.

*Subscription during leave.*

43. Servants shall not be permitted to subscribe to the Provident Fund while absent on leave other than leave on full average salary. They may at their option subscribe while absent on leave on full average salary.

44. (1) A servant who desires to subscribe during such leave shall notify his intention in advance in order to allow of the deductions from his leave allowances being noted in his leave and pay certificate. A servant who has notified such intention shall not be permitted to discontinue subscribing during leave.

(2) A servant who fails to notify his intention to continue to subscribe when proceeding on leave, may therefore be allowed to pay his subscription in cash.

*Dead Accounts.*

45. On a depositor leaving the service his account shall be closed, and unless the amount at his credit be withdrawn, in the case of balances not exceeding Rs. 10, within one year and in the case of balances exceeding Rs. 10, within three years, it shall be written off as a dead account, and not repaid save under the orders of the Officer Commanding-in-Chief, the Command.

46. The Cantonment Authority may withdraw from the Post Office Savings Bank all monies lying in deposit on or after the date of the commencement of these rules on account of the Provident Fund, and deposit them in the Imperial Bank of India (Savings Bank).

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SCHEDULE I.

(See Rule 20.)

SECURITY BONDS FOR CANTONMENT SERVANTS.

*Form of Security Bond where Cash is taken as Security.*

KNOW ALL MEN by these presents that I \_\_\_\_\_ of \_\_\_\_\_ am held and firmly bound unto the Cantonment Authority of \_\_\_\_\_



in the sum of Rs.                      to be paid to the said Cantonment Authority for which payment I bind myself my heirs executors administrators and legal representatives by these presents.

Whereas the above bounden \_\_\_\_\_ was on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ appointed to and now holds the office of \_\_\_\_\_ in the Cantonment of \_\_\_\_\_ in the \_\_\_\_\_ District And Whereas the said \_\_\_\_\_ by virtue of such office is bound to keep true and faithful accounts of his dealings with all property and money which may come to his hands or possession or under his control such accounts to be kept in the form and manner that may from time to time be prescribed by duly constituted authority and also to prepare and submit such returns and accounts and other documents as may from time to time be required of him.

And whereas the said \_\_\_\_\_ has by the direction of the Cantonment Authority delivered to and deposited with the Executive Officer of the said Cantonment the sum of Rs. \_\_\_\_\_ in cash as security for the due and faithful performance by the said \_\_\_\_\_ of the duties of his said office and of any other office to which he may be appointed at any time and of other duties which may be required of him and for the purpose of securing and indemnifying the Cantonment Authority and Cantonment Fund of the said Cantonment against all loss injury or damage which the said Cantonment Authority or Fund may in any way suffer or sustain by reason of the misconduct neglect oversight or otherwise by means of the said \_\_\_\_\_ or any person or persons acting under him or for whom he may be responsible.

And whereas the said                      has entered into the above bond in the penal sum of Rs.                      as a further security for the due performance by him of the duties of his said office and of any other office to which he may be appointed at any time and of other the duties which may be required of him and for the indemnity of the said Cantonment Authority and Fund against all such loss injury or damage as aforesaid.

Now the condition of the above written bond is such that if the said  
has whilst he has held the said office of as aforesaid  
always duly performed and fulfilled the duties of his said office and if  
he shall whilst he shall hold the said office or any other office to which  
he may be appointed or in which he may act always duly perform and  
fulfil all and every the duties thereof respectively and other the duties  
which may from time to time be required of him and shall also at all  
times indemnify and save harmless the said Cantonment Authority and  
Fund from all and every loss injury and damage which has been or  
shall or may at any times or time hereafter during the service or em-  
ployment of the said in such office as aforesaid or in any  
such other offices aforesaid be sustained incurred or suffered by the

said Cantonment Authority or Fund by reason of any act neglect failure misconduct default disobedience omission or insolvency of the said

or of any person or persons acting under him or for whom he may be responsible then this obligation shall be void and of no effect otherwise the same shall be and remain in full force provided always and it is hereby declared and agreed that the said sum of Rs. so deposited as aforesaid shall be and remain with the Executive Officer for the time being of the said Cantonment as such security as aforesaid with full power for such Executive Officer as occasion shall require to apply the said sum of Rs. or any part thereof in and towards the indemnity as aforesaid of the said Cantonment Authority and Fund or otherwise as aforesaid. And it is hereby lastly agreed that on the final termination of the service of the said whether such as aforesaid or otherwise the said sum of Rs. or so much thereof as shall then be in deposit and this bond shall remain with such Executive Officer as aforesaid for calendar months as security against any loss injury or damage that may have been sustained or incurred by the said Cantonment Authority or Fund owing to the act neglect or default of the said or any such other person or persons as aforesaid and which may not have been discovered until after the termination of his said service and that his liability hereunder shall continue until the expiry of the said term of calendar months.

In witness whereof the said has hereunto set his hand and seal this day of 19 .

Signed, sealed and delivered by the abovenamed in the presence of

## B.

*Form of Security Bond where Cash is taken by instalments as Security.*

KNOW ALL MEN by these presents that I of am held and firmly bound unto the Cantonment Authority of in the sum of Rs. to be paid to the said Cantonment Authority for which payment I bind myself my heirs executors administrators and legal representatives by these presents.

Whereas the above bounden was on the day of 19 appointed to and now holds the office of in the Cantonment of in the . District And Whereas the said by virtue of such office is bound to keep true and faithful accounts of his dealings with all property and money which may come to his hands or possession or under his control such accounts to be kept in the form and manner that may from time to time be prescribed by duly constituted authority and also to prepare and submit

such returns and such accounts and other documents as may from time to  
time be required of him And Whereas the said \_\_\_\_\_ has by

to be made from the salary of the said by the  
head of his office until the full sum of Rs. shall be so

delivered and deposited as security for the due and faithful performance by the said \_\_\_\_\_ of the duties of his said office and of any other office to which he may be appointed at any time and of other duties which may be required of him and for the purposes of securing and indemnifying the Cantonment Authority and Cantonment Fund of the said Cantonment against all loss injury or damage which the said Cantonment Authority or its successors may in any way suffer or sustain by reason of the misconduct neglect oversight or otherwise by means of the said \_\_\_\_\_ or any person or persons acting under him or for whom he may be responsible And Whereas the said \_\_\_\_\_ has entered into the above bond in the penal sum of Rs. \_\_\_\_\_ as a further

security for the due performance by him of the duties of his said office and of any other office to which he may be appointed at any time and of other the duties which may be required of him and for the indemnity of the said Cantonment Authority and Fund against all such loss injury or damage as aforesaid Now the condition of the above written bond is such that if the said                  has whilst he has held the said office of                  as aforesaid duly performed and fulfilled the

duties of his said office and if he shall whilst he shall hold the said office or any other office to which he may be appointed or in which he may act always duly perform and fulfil all and every the duties thereof respectively and other duties which may from time to time be required of him and shall also at all times indemnify and save harmless the said Cantonment Authority and Fund from all and every loss injury and damage which has been or shall or may at any times or time hereafter during the service or employment of the said \_\_\_\_\_ in such office as aforesaid or in any such other office as aforesaid he sustained incurred or suffered by the said Cantonment Authority or Fund by reason of any neglect failure misconduct default disobedience omission or insolvency of the said \_\_\_\_\_ or of any person or persons acting under him or for

whom he may be responsible then this obligation shall be void and of no effect otherwise the same shall be and remain in full force. Provided always and it is hereby declared and agreed that the said sum of Rs.                    or so much thereof as shall for the time being be deposited shall be and remain with the Executive Officer for the time being of the Cantonment as such security as aforesaid with full power for such Executive Officer as occasion shall require to apply

the said sum of Rs.                      or any part thereof in and towards the indemnity as aforesaid of the Cantonment Authority and Fund or otherwise as aforesaid.

And it is hereby lastly agreed that on the final termination of the service of the said                      whether as such                      as aforesaid or otherwise the said sum of Rs.                      or so much thereof as shall then be in deposit and this bond shall remain with such Executive Officer as aforesaid for                      calendar months as security against any loss injury or damage that may have been sustained or incurred by the said Cantonment Authority or Fund owing to the act neglect or default of the said                      or any such other person or persons as aforesaid and which may not have been discovered until after the termination of his said service and that this liability hereunder shall continue until the expiry of the said term of                      calendar months.

In witness whereof the said                      has hereunto set his hand and seal this                      day of                      19                      .

Signed, sealed and delivered by the abovenamed in the presence of

### C.

#### *Form of Security Bond where Government Securities are taken as Security.*

KNOW ALL MEN by these presents that I                      of                      am held and firmly bound unto the Cantonment Authority of                      in the sum of Rs.                      to be paid to the said Cantonment Authority for which payment I bind myself my heirs executors administrators and legal representatives by these presents.

Whereas the above bounden                      was on the                      day 19                      appointed to and now holds the office of                      in the Cantonment of                      in the                      District And Whereas the said                      by virtue of such office is bound to keep true and faithful accounts of his dealings with all property and money which may come to his hands or possession or under his control such accounts to be kept in the form and manner that may from time to time be prescribed by duly constituted authority and also to prepare and submit such returns and such accounts and other documents as may from time to time be required of him And Whereas the said                      has by the direction of the said Cantonment Authority delivered to and deposited with and endorsed over to the Executive Officer of the said Cantonment Government Securities to the extent of Rs.                      as security for the due and faithful performance by the

said of the duties of his said office and of any other office to which he may be appointed at any time and of other the duties which may be required of him and for the purpose of securing and indemnifying the Cantonment Authority and Cantonment Fund of the said Cantonment against all loss injury or damage which the said Cantonment Authority or Fund may in any way suffer or sustain by reason of the misconduct neglect oversight or otherwise by means of the said

or any person or persons acting under him or for whom he may be responsible And Whereas the said has entered into the above bond in the penal sum of Rs. as further security for the due performance by him of the duties of his said office and of any other office to which he may be appointed at any time and of other the duties which may be required of him and for the indemnity of the said Cantonment Authority and Fund against all such loss injury damage as aforesaid Now the condition of the above written bond is such that if the said has whilst he has held the said office of

as aforesaid always duly performed and fulfilled the duties of his said office and if he shall whilst he shall hold the said office or any other office to which he may be appointed or in which he may act always duly perform and fulfil all and every the duties thereof respectively and other the duties which may from time to time be required of him and shall also at all times indemnify and save harmless the said Cantonment Authority and Fund from all and every loss injury or damage which has been or shall or may at any times or time hereafter during the service or employment of the said in such office as aforesaid or in any such other office as aforesaid be sustained or suffered by the said Cantonment Authority or Fund by reason of any act neglect failure misconduct default disobedience omission or insolvency of the said

or of any person or persons acting under him or for whom he may be responsible than this obligation shall be void and of no effect otherwise the same shall be and remain in full force provided always and it is hereby declared and agreed that the said Government Promissory Notes for Rs. so delivered and endorsed as aforesaid or such other Government Security or Securities to the same amount as the said Executive Officer may consent from time to time to accept and receive in lieu or exchange for the same and the interest thereof shall be and remain with the Executive Officer for the time being of the said Cantonment as such security as aforesaid with full power for such Executive Officer as occasion shall require to sell and dispose of the said Government Securities or a sufficient portion thereof with the interest thereon and to supply the proceeds thereof in and towards the indemnity as aforesaid of the said Cantonment Authority and Fund or otherwise as aforesaid but that nevertheless the interest accruing on the said Government Securities may in the mean-

time be paid over as the same shall be realized if such Executive Officer shall think fit to the said                      And it is hereby lastly agreed that on the final termination of the service of the said                      whether as such                      as aforesaid or otherwise the said Government Promissory Notes for Rs.                      or any notes that may have been substituted therefor and this bond shall remain with such Executive Officer as aforesaid for                      calendar months as security against any loss injury or damage that may have been sustained or incurred by the said Cantonment Authority or Fund owing to the act neglect or default of the said                      or any such other person or persons as aforesaid and which may not have been discovered until after the termination of his said service and that his liability hereunder shall continue until the expiry of the said term of calendar months.

In witness whereof the said \_\_\_\_\_ has hereunto set his hand  
and seal this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

Signed, sealed and delivered by the  
abovenamed in the presence of

**D.**

*Form of Security Bond where the Postal Savings Bank Deposits are taken as Security.*

KNOW ALL MEN by these presents that I \_\_\_\_\_ of  
am held and finally bound unto the Cantonment Authority of \_\_\_\_\_  
in the sum of Rs. \_\_\_\_\_ to be paid to the said Cantonment Authority  
for which payment I bind myself my heirs executors administrators  
and legal representatives by these presents.

Whereas the above bounden                      was on the day of                      19  
appointed to and now holds the office of                      in the Cantonment of  
in the                      District And Whereas the said                      by  
virtue of such office is bound to keep true and faithful accounts of his  
dealings with all property and money which may come to his hands  
or possession or under his control such accounts to be kept in the form  
and manner that may from time to time be prescribed by duly con-  
stituted authority and also to prepare and submit such returns and such  
accounts and other documents as may from time to time be required  
of him And Whereas the said                      has by the direction of the  
Cantonment Authority delivered to and deposit with the Executive  
Officer of the said Cantonment the Post Office Savings Bank Pass Book  
of him the said                      showing a sum of Rs.                      at credit of  
the said                      in the Postal Savings Bank at                      as  
security for the due and faithful performance by the said  
of the duties of his said office to which he may be appointed at any  
time and of other duties which may be required of him and for the

purpose of securing and indemnifying the Cantonment Authority and Cantonment Fund of the said Cantonment against all loss injury or damage which the said Cantonment Authority or Fund may in any way suffer or sustain by the misconduct neglect oversight or otherwise by means of the said                      or any person or persons acting under him or for whom he may be responsible And Whereas the said                      has entered into the above bond in the penal sum of Rs                      as further security for the due performance by him of the duties of the said office and of any other office to which he may be appointed at any time and of other the duties which may be required of him and for the indemnity of the said Cantonment Authority and Fund against all such loss injury or damage as aforesaid. Now the condition of the above written bond is such that the said                      has whilst he has held the said office of                      as aforesaid always duly performed and fulfilled the duties of his said office and if he shall whilst he shall hold the said office or any other office to which he may be appointed or in which he may act always duly perform and fulfil all and every the duties thereof respectively and other the duties which may from time to time be required of him and shall also at all times indemnify and save harmless the said Cantonment Authority and Fund from all and every loss injury and damage which has been or shall or may at any times or time hereafter during the service or employment of the said                      in such office as aforesaid be sustained incurred or suffered by the said Cantonment Authority or Fund by reason of any act neglect failure misconduct default disobedience omission or insolvency of the said                      or any person or persons acting under him or for whom he may be responsible then this obligation shall be void and of no effect otherwise the same shall be and remain in full force provided always and it is hereby declared and agreed that the said Postal Savings Bank Pass Book and all money for the time being standing to the credit of the said                      in the Post Office Savings Bank at                      and the interest on all such monies shall be and remain with and at the disposal of the Executive Officer for the time being of the said Cantonment as such security as aforesaid with full power for such Executive Officer as occasion shall require to withdraw from the said Postal Savings Bank the monies deposited therein and for the time being at the credit of the said                      and the interest thereon or so much thereof respectively as shall be required and to apply the same in and towards the indemnity as aforesaid of the said Cantonment Authority and Fund or otherwise as aforesaid but that nevertheless the interest accruing on the said monies may in the meantime be paid over as the same shall be realized if such Executive Officer shall think fit to the said                      And it is hereby lastly agreed that on the final termination of the service of the said                      whether as such

as aforesaid or otherwise the said Postal Savings Bank Pass Book and the monies for the time being at credit of the said in the said Postal Savings Bank and this bond shall remain with such Executive Officer as aforesaid for calendar months as security against any loss injury or damage that may have been sustained or incurred by the said Cantonment Authority or Fund owing to the act neglect or default of the said or any such other person or persons as aforesaid and which may not have been discovered until after the termination of his said service and that his liability hereunder shall continue until the expiry of the said term of calendar months.

In witness whereof the said has hereunto set his hand and seal this day of 19 .

Signed, sealed and delivered by the abovenamed in the presence of .

## SCHEDULE II.

(See Rule 31.)

Depositor No.

### THE CANTONMENT PROVIDENT FUND.

#### Form of Declaration.

(For\*

depositor.)

I hereby declare that in the event of my death the following persons shall be entitled to receive payment of the amount to my deposit in the Cantonment Provident Fund in the proportions noted against their names and I make this my will so far as regards such deposit.

I also request that the amount payable as above to the minors be paid to the person named below.

Name and address of the nominee.	Relationship with the subscriber.	Whether major or minor. If minor state age.	Share of the deposit payable.	Name and address of the person to whom share is to be paid on behalf of minor.	Sex and parentage of person referred to in previous column.

Two witnesses to signature

Signature

[Gazette of India, 1926, Pt. I, p. 841.]

\* Here state married or unmarried.



*Secunderabad and Aurangabad Cantonments Account Code, 1926.*

No. 88-I., dated the 1st March, 1926.—In exercise of the powers conferred by Section 280 of the Cantonments Act, 1924 (II of 1924), as applied to the Cantonments of Secunderabad and Aurangabad, the Governor General in Council is pleased to make the following rules:—

RULES.

*The Secunderabad and Aurangabad Cantonments Account Code, 1926.*

CHAPTER I.—GENERAL PRINCIPLES AND RULES.

1. *Short title.*—These rules may be called the Secunderabad and Aurangabad Cantonments Account Code, 1926.

2. *Definitions.*—In these rules unless there is anything repugnant in the subject or context,—

- (a) “Accountant-General” means the Civil Accountant-General or Civil Comptroller of Accounts;
- (b) “the Act” means the Cantonments Act, 1924, as applied to the Cantonments of Secunderabad and Aurangabad;
- (c) “Form” means a Form contained in the Second Schedule to these rules;
- (d) “President” means the President of the Cantonment Board in a cantonment where such a Board has been constituted, and, in other cantonments, the Commanding Officer of the cantonment;
- (e) “treasury” means a Government treasury or sub-treasury, or the Imperial Bank of India or any other bank to which Government treasury business has been entrusted, and includes a banker or person acting as a banker with whom a cantonment fund is deposited under section 107 (2) of the Act;
- (f) “Treasury Officer” includes a banker, or person acting as a banker with whom a cantonment fund is deposited under section 107 (2) of the Act.

3. *Effect of close holidays.*—Wherever in these rules, any act or proceeding in the office of the Cantonment Authority, is directed or allowed to be done or taken on a certain day or within a prescribed period, then, if the office is closed on that day or on the last day of the prescribed period, the act or proceeding shall be deemed to be done or taken in due time if it is done or taken on the next day thereafter on which the office is open.

### *Cantonment Fund.*

4. *Credit of money received.*—All money transactions to which any member of a Board, or any officer or servant of a Cantonment authority is a party in his official capacity shall, immediately and without any reservation, be brought to account in the books of the Cantonment Authority, and all monies received other than monies withdrawn from the treasury to meet current expenditure, shall without delay be paid in full in the treasury, and shall be credited to the appropriate account, and shall not be utilized to meet current expenditure.

<sup>1</sup>[4-A. *Elimination of pies.*—Pies shall be omitted from all salary, establishment, and travelling allowance bills and cheques issued on treasuries. All individual items in such cases whether they pertain to salary or allowances of any description, or travelling allowance, or represent deductions or payments of some sort, shall be calculated to the nearest anna, fractions below half an anna being omitted, and half an anna or over being reckoned as one anna.]

<sup>2</sup>[4-B. Pies shall ordinarily be eliminated from all receipts, other than receipts of revenue which are fixed by or under law.]

5. *No unauthorized fund to be maintained.*—In no circumstances whatever shall any fund be maintained by the cantonment authority except the regularly authorized cantonment funds.

### *Accounts.*

6. *Separation of Revenue and Account branches.*—Except in the case of cantonment offices specifically exempted from the operation of this rule by the Officer Commanding-in-Chief, the Command, the Revenue and Account branches of every cantonment shall be kept distinct from each other and under separate officials who for this purpose shall be termed, respectively, the Cashier and the Accountant. All sums due to the Cantonment Authority shall be received by the former official, and in no case shall the same person compile the accounts and superintend the collection of taxes and other revenue. No person employed in a treasury shall assist in any way in collecting cantonment revenue, or in posting the cantonment books.

7. *Prescribed registers and forms to be observed.*—No addition to, or modification of, the registers and forms prescribed in this Code shall be made, and no new forms shall be introduced by any Cantonment Authority, without the previous sanction of the Governor General in

<sup>1</sup> Inserted by Notification No. 342-I., dated the 6th July, 1926. *Gazette of India*, 1926, Pt. I, p. 793.

<sup>2</sup> Inserted by Notification No. 474-I., dated the 17th August, 1927. *Gazette of India*, 1927, Pt. I, p. 851.

Council. In the matter of details connected with accounts, the Cantonment Authority shall be guided by the instructions of the Accountant General.

8. *Maintenance of registers.*—As far as possible all accounts shall be maintained in English. Books of account and registers shall be strongly bound and paged before being brought into use, and, unless otherwise specifically stated, accounts shall not be prepared in loose sheets or in loosely bound volumes. Forms in which receipts for money are granted shall be bound in counterfoil books, each containing 100 consecutively machine numbered and printed forms.

9. *Corrections in registers.*—Corrections and alterations in accounts shall be neatly made in red ink (a single line being drawn through the original entry which it is desired to correct) and attested by the dated initials of the Executive Officer <sup>1</sup>[or such other officer as the Cantonment Authority may direct] or in the case of departmental accounts by the dated initials of the officer in charge. Each correction or alteration in the total of a voucher should be attested by the dated initials of the person signing the receipt; each correction or alteration in the order of payment must be attested in the same way by the officer ordering the payment. Corrections in an assessment list shall not be made save under the initials of a person authorized under the Act, or the rules made thereunder, to alter the assessment.

Erasures and overwritings shall on no account be made in registers, statements, cheques, vouchers or accounts of any description.

#### *Audit of Accounts.*

10. *Audit of Accounts.*—(1) The accounts of the cantonment fund shall be audited by the Accountant General, and the cost of such audit shall be paid by the Cantonment Authority concerned.

(2) The Cantonment Authority shall at the time of audit cause to be produced all accounts, registers, documents and subsidiary papers which may be required by the auditor to assist him in his investigations.

11. *Objection statements.*—The objection statements issued by the auditor in the course of audit shall be returned to him promptly, and in any case before the close of audit, with notes showing the action taken or which it is proposed to take to settle the objections raised, over the signature of the President. The auditor shall return for further action any items on which final or sufficient action has not in his opinion been taken; and shall before leaving, bring to the personal notice of the President, items which have not been disposed of.

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<sup>1</sup> Inserted by Notification No. 332-I., dated the 29th May, 1928. *Gazette of India*, 1928, Pt. I, p. 544.

12. *Audit note.*—(1) The Accountant General will forward a copy of the audit note with his remarks to the President, the Officer Commanding-in-Chief, the Command, and the Resident at Hyderabad for necessary action.

(2) The audit note should contain the following certificate:—

“ Certified that a copy was kept in my office of the annual account for the year submitted to the Officer Commanding-in-Chief, the Command, with my endorsement No. , dated and that the account has been compared with local records and found correct, subject to the following remarks.”

13. *Consideration of audit note.*—(1) As soon as the audit note has been received in the office of the Cantonment Authority the same shall forthwith be taken into consideration and, where there is a Board, the President shall convene a meeting of the Board to decide upon the action to be taken in regard thereto. The action so taken shall be indicated on an interleaved copy, or on the margin of the audit note, which shall be sent to the Accountant General, as promptly as possible and at the latest within three months of the date of receipt of the note. A copy shall at the same time be sent to the Officer Commanding-in-Chief, the Command. A similar annotated copy shall be kept in the office of the Cantonment Authority, and shall be placed before the audit officer at his next visit.

(2) In cases where in the opinion of the Accountant General suitable action has not been taken on the audit report, he shall send the case for orders, to the Officer Commanding-in-Chief, the Command, or the Resident at Hyderabad or the Government of India as he thinks fit.

*Cantonment Fund Losses <sup>1</sup>[and Remissions.]*

<sup>2</sup>[14. *Inquiry into losses.*—(1) Whenever any loss of cantonment monies, stores or other property through embezzlement, fraud, theft or other cause is discovered, a preliminary investigation shall forthwith be made into the loss by the cantonment authority or by some person appointed in this behalf by the cantonment authority, and the result of such preliminary investigation, if the loss incurred exceeds rupees fifty, shall be reported forthwith by the cantonment authority to the Officer Commanding-in-Chief, the Command, and to the Accountant General. The Officer Commanding-in-Chief, the Command, shall, if necessary, arrange with the Accountant General for an expert examination of accounts in connection with the loss. The Officer Commanding-in-Chief,

<sup>1</sup> Added by Notification No. 474-I., dated the 17th August, 1927. *Gazette of India*, 1927, Pt. I, p. 851.

<sup>2</sup> Substituted by Notification No. 342-I., dated the 6th July, 1926. *Gazette of India*, 1926, Pt. I, p. 793.

the Command, shall, if necessary, then, cause the matter to be investigated by a Committee of Inquiry consisting of the <sup>1</sup>[Inspecting Officer,] Military Lands and Cantonments of the Command, as President, and two other officers nominated by the Officer Commanding-in-Chief, the Command, who shall arrange for such expert and other evidence as may be required for the purposes of the inquiry. When the matter has been fully inquired into by the Committee of Inquiry, a report shall be submitted to the Accountant General and the Government of India showing the total sum of money lost, the circumstances in which the loss took place and the steps taken or recommended to recover the money and to punish the offenders, if any. The submission of such report shall not in any case debar the local authorities from taking any action which may be deemed necessary.

(2) Money, the value of stores or other property thus lost, shall not be written off the accounts except with the sanction of the Governor General in Council, provided that losses the amount of which does not exceed rupees fifty in any individual case may be written off by the cantonment authority, and losses exceeding rupees fifty but not exceeding rupees five hundred in any individual case may be written off by the officer Commanding-in-Chief, the Command.]

<sup>2</sup>[14A. *Irrecoverable items of revenue.*—Money due in respect of land rent (including house rent), sales of wood, fruits, grass and miscellaneous contracts, which has been ascertained to be irrecoverable shall not be written off the accounts except, with the sanction of the Governor General in Council; provided that any such irrecoverable amount which does not exceed rupees two hundred and fifty in any individual case may be written off by the Officer Commanding-in-Chief, the Command.]

<sup>3</sup>[14B. *Remission of rent for land.*—Remissions of rent for land may, for special reasons, such as the failure of crops, be sanctioned by the Officer Commanding-in-Chief, the Command, up to a limit of rupees one thousand in any individual case, and by the Governor General in Council for any amount exceeding rupees one thousand.]

#### *Issue of Duplicate Receipts and Vouchers.*

15. *Issue of duplicate receipts and vouchers.*—The Executive Officer or other official shall not issue duplicates or copies of receipts granted for money received, or duplicates or copies of bills or other documents for the payment of money which has already been paid, on the allega-

<sup>1</sup> Inserted by Notification No. 332-I., dated the 29th May, 1928. *Gazette of India*, 1928, Pt. I, p. 544.

<sup>2</sup> Inserted by Notification No. 342-I., dated the 6th July, 1926. *Gazette of India*, 1926, Pt. I, p. 793.

<sup>3</sup> Inserted by Notification No. 474-I., dated the 17th August, 1927. *Gazette of India*, 1927, Pt. I, p. 851.

tion that the originals have been lost. If any necessity arises for such a document, a certificate may be given that on a specified day, a certain sum on a certain account, was received from or paid to a certain person. In the case of a bill or deposit repayment voucher passed for payment at a treasury but lost before encashment or payment, the officer who drew the original bill or voucher should ascertain from the treasury that payment has not been made on the original before he issues a duplicate, which should bear distinctly on its face the word "duplicate" written in red ink.

## CHAPTER II.—BUDGET ESTIMATES.

### *Preparation and Submission.*

16. *Submission of budget estimate.*—(1) On or before the 1st day of September in each year, the Cantonment Authority shall submit to the Officer Commanding-in-Chief, the Command, a budget estimate of the receipts (including grants-in-aid required, if any) to be paid into, and of the expenditure to be incurred from, the cantonment fund for the ensuing financial year.

(2) The budget estimate shall be drawn up in Form No. Cant. 1-B and shall be considered and passed by the Cantonment Authority before submission to the Officer Commanding-in-Chief, the Command.

17. *Preparation of budget estimates.*—The following general rules shall be observed in preparing the budget estimate:—

- (a) The estimate of income shall be based upon a comparison of the last three years' receipts and, in the case of fixed income, upon the actual demands, inclusive of any arrears due which are likely to be realized. When receipts are rising or falling, and the three years' averages are deceptive, a rise or fall, as the case may be, may be provided in the budget estimate, suitable explanatory notes being added for each important variation.
- (b) The estimate of expenditure on fixed establishments as well as fixed monthly recurring charges on account of rent, allowances, etc., shall be made according to the actual sanctioned scale, irrespective of savings, and shall provide for the gross sanctioned pay without deductions of any kind. In the case of progressive salaries, the rates of pay which will be due on the 1st September of the year to which the budget relates shall be adopted.
- (c) For contingent expenditure, the estimates shall be based upon the average actual expenditure of the past three years, exclusive of any special items of expenditure that may have been incurred during those years.

- (d) The budget estimate shall be framed so as to provide for a closing balance of not less than 10 per cent. of the estimated ordinary annual expenditure.
- (e) The invested funds of the Cantonment Authority shall not be shown in the opening and closing balances; but details thereof according to face value shall be given in Appendix B to the budget estimate.

18. *Sanction of budget estimate.*—The Officer Commanding-in-Chief, the Command, may sanction the budget estimate, provided that, if the budget estimate provides for a grant-in-aid from the Government of India, or if in the opinion of the Officer Commanding-in-Chief, the Command, the budget estimate requires modification for any reason, he shall submit it with his recommendations for the orders of the Governor General in Council.

19. *Payments from cantonment fund.*—No money shall be paid from the cantonment fund unless the expenditure is either:—

- (a) provided for in the original or revised budget estimate as sanctioned, or
- (b) sanctioned by the Officer Commanding-in-Chief, the Command:

Provided that in the case of revision of establishment, or of expenditure on original works, no expenditure shall be sanctioned unless detailed proposals or estimates have been prepared and sanctioned by competent authority.

#### *Re-appropriations.*

20. *Re-appropriations.*—(1) A Cantonment Authority shall not incur expenditure for which no provision exist, under any of the heads of the budget estimate, or in excess of the amount provided under any head, without making provision for the excess by re-appropriation from some other head under which savings are ascertained or anticipated.

(2) Applications for re-appropriation of funds shall be accompanied by a re-appropriation statement in Form No. Cant. 2-B.

21. *Sanction for re-appropriation.*—The Cantonment Authority may—

- (a) with the previous sanction of the Officer Commanding-in-Chief, the Command, re-appropriate any sum from one major head of the budget estimate to another;
- (b) re-appropriate any sum from one minor head of the budget estimate to another minor head under the same major head:

Provided that the Cantonment Authority may not—

- (a) employ the allotment for original works otherwise than as proposed in Form No. Cant. 2-B., without the previous sanction of the Officer Commanding-in-Chief, the Command, or
- (b) utilise for other purposes any portion of a grant-in-aid contribution given for a specific purpose.

*Explanation.*—The following are examples of major and minor heads:—

*Major heads*—I Rate and Taxes.

*Minor head*—(a) Octroi.

*Major head.*—A. General Administration.

*Minor head*—(1) Executive Officer.

#### *Inevitable Payments.*

22. *Payment of money due.*—The want of provision in the budget estimates or the temporary exhaustion of the budget allotment under any head, shall not operate to prevent payment or refund of any money due by a Cantonment Authority, or to prevent record of any actual payment under its proper head of account. Such claims shall be met by re-appropriation or by re-casting the budget estimate in accordance with rules 20 and 21. All liabilities shall be liquidated without delay, and in no circumstances shall a liability be allowed to stand over to be paid from the budget grant of the following year, nor shall payments or refunds be postponed to the last days of a month or the last month of the financial year.

### CHAPTER III.—OFFICE ACCOUNTS.

#### *Receipt of money.*

23. *Receipts to be entered in cash book.*—All monies received for credit to the cantonment fund shall be entered in the general cash book, either directly or through a subsidiary register in Form No. Cant. 3-B.

24. *Receipts.*—(1) With the exception of grants-in-aid and fines, and other monies for which a special receipt form has been prescribed elsewhere, all monies received in the office of the Cantonment Authority from persons other than cantonment officials, shall be acknowledged by a receipt in Form No. Cant. 4-B.

(2) The counterfoil of the receipt shall be signed by the cashier, if any, in token of receipt of the money, by the official in charge of the



general cash book or subsidiary register in token of entries having been made therein, and by the Executive Officer <sup>1</sup>[or such other officer as the Cantonment Authority may direct]. The receipt shall be signed by the Executive Officer <sup>1</sup>[or such other officer as the Cantonment Authority may direct] after he has verified that the money received has been correctly recorded in the general cash book or in a subsidiary register.

25. *Remittance by cantonment official.*—A remittance to the office of the Cantonment Authority, made by a cantonment official shall, in the ordinary course, be accompanied by a duplicate *chalan* in Form No. Cant. 5-B.

The duplicate foil of the *chalan* shall be returned to the official concerned, and the original, after it has been initialled by the cashier and official in charge of the general cash book, shall be retained as a voucher in the office of the Cantonment Authority.

#### *Remittances to Treasury.*

26. *Daily remittance to treasury.*—All monies received for credit to the cantonment fund shall be remitted to the treasury daily <sup>2</sup>[or, where this is inconvenient, at regular intervals to be fixed by the Cantonment Authority]. In no circumstances shall the amount left in the custody of the cashier exceed the security furnished by him and all money in hand on the last working day of each month shall be remitted on that day. The money shall be accompanied by a duplicate *chalan* in Form No. Cant. 5-B. and the remittance shall be entered in the general cash book under the initials of the Executive Officer <sup>1</sup>[or such other officer as the Cantonment Authority may direct]. The duplicate foil of the *chalan*, when received back signed from the treasury, shall be used as a voucher for the remittance and may either be filed separately or, if convenient, pasted in the page of the cash book.

In any circumstances in which the balance in hand is temporarily in excess of the cashier's security, the Executive Officer shall make special arrangements for the safe custody of the same.

27. *Remittance to treasury by cantonment official.*—When a remittance is made by an official of the Cantonment Authority direct to the treasury for credit to the cantonment fund, it shall be accompanied by a *chalan* in triplicate in Form No. Cant. 5-A-B. of which one foil shall be retained in the treasury, and of the other two foils, which shall be returned duly receipted by the treasury, one shall be retained as his receipt by the official who made the remittance, and the other sent to the

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<sup>1</sup> Inserted by Notification No. 332-I., dated the 29th May, 1928. *Gazette of India*, 1928, Pt. I, p. 544.

<sup>2</sup> Inserted by Notification No. 474-I., dated the 17th August, 1927. *Gazette of India*, 1927, Pt. I, p. 851.

cantonment office, where the amount entered therein shall be brought to account in the general cash book.

*Pass book.*

28. *Pass book*.—All sums paid into the treasury on account of the Cantonment Authority and all payments made on cheques, shall be entered in a pass book in Form No. Cant. 6-B, which shall be sent with each remittance and on the last working day of the month, to the treasury to be written up. At the close of each month, the entries on each side of the pass book shall be totalled and a balance struck under the signature of the Treasury Officer. In no circumstances shall any entries be made in the pass book except by the treasury officials, and if any mistake is detected in the Treasury Pass Book the Executive Officer shall bring it to the notice of the Treasury Officer who shall at once correct it under his dated initials.

*Payment of money.*

29. *Method of payment*.—Ordinarily, payments shall be made by cheque but sums of less than Rs. 20 may be paid from permanent advances, where payment by cheque is not specifically prescribed by these rules.

30. *Payment of bills*.—(1) Every item of expenditure shall be entered in a bill in the form prescribed by this Code. Bills and other vouchers presented for payment shall be examined by the Executive Officer or other officer appointed by the Cantonment Authority in this behalf, and, if the claim is admissible, the authority good, the signature true and in order, and the receipt a legal quittance, he shall make an order to pay on the bill and sign it. The officer making a payment order shall be personally responsible that the bill is complete and affords sufficient information as to the nature of the payment, and that the payee actually receives the sum passed.

(2) After the order to pay has been entered on the bill and passed, the payment shall be made either by cheque drawn in the name of the payee or in cash from the permanent advance. In the former case, the requisite entry shall be made in the general cash book and the bill having been stamped "paid by cheque No. \_\_\_\_\_, dated \_\_\_\_\_" shall be filed. In the latter case the bill having been stamped "paid in cash" shall be retained in the custody of the holder of the permanent advance and the requisite entry shall be made by him in his permanent advance account.

(3) Every payment order shall be made on a bill, a note being made on the file concerned referring to the number and date of the bill. A reference shall also be made on the bill to the file to which it appertains.

### *Cheques.*

31. *Cheque books.*—(1) Cheques shall be in counterfoil in Form No. Cant. 7-B, and each cheque shall bear a book number and a serial number. The cheque book number and the serial number of each cheque shall be machine-numbers. All cheque forms, with counterfoils, shall be bound in books which shall be kept locked in the personal custody of the drawing officer, who shall notify to the treasury upon which he draws, the number of the cheque book and the number of cheques contained in the book which he from time to time brings into use.

(2) On receipt of a cheque book the drawing officer shall record on it the number of forms it contains. When relieved of his office, he shall take a receipt for the number of cheques made over to his successor, and shall send to the treasury a specimen of the relieving officer's signature.

32. *Issue of cheques.*—(1) Every cheque shall be signed by the Executive Officer: provided that, in the case of a part-time Executive Officer, cheques for sums in excess of two hundred rupees shall be signed by the President, or in his absence, by the Vice-President.

(2) No cheque shall be signed unless required for immediate delivery to the payee, or be drawn in favour of any other person than the actual payee.

(3) All cheques shall bear the prescribed stamp duty of one anna and on each an amount slightly in excess of the sum for which the cheque is drawn, shall be written across it at right angles to the type, as a protection against fraud.

*Examples.*—Across a cheque drawn for Rs. 49-13-0 there shall be written "under rupees fifty".

33. *Currency of cheques.*—No cheque shall be current for more than three months from the date on which it was drawn. After the expiration of that period payment shall be refused at the treasury, and it shall be necessary for the person in whose favour the cheque was drawn to return it. In the event of a cheque being so returned, no fresh cheque shall be issued, but the lapsed cheque shall be re-dated, and the alteration initialled by the drawing officer, a note of the fact of re-dating being entered in the general cash book against the original entry. The alteration shall in no way affect the accounts and no further entries shall be made.

### *Cancellation of Cheques.*

34. *Cancellation of cheques.*—(1) A signed cheque when cancelled shall be enfaced or stamped "Cancelled" by the drawing officer and the fact of cancellation shall be noted in red ink, under the initials of

the drawing officer, upon the counterfoil, and across the payment order on the bill or voucher. Such cheques shall be preserved under lock and key in the custody of the Executive Officer until the accounts have been audited, when they shall be destroyed by the Auditor, who shall certify to the destruction upon the counterfoil.

(2) When a cheque is cancelled before the general cash book has been closed for the day upon which the cheque issued, the entry in the cash book shall be struck out in red ink under the initials of the Executive Officer. When a cheque is cancelled after the cash book has been closed the amount shall be adjusted in the manner prescribed in rule 38 (c).

35. *Loss of cheques.*—If a cheque is lost or destroyed, an intimation of the fact shall at once be given to the Treasury Officer, and when it has been ascertained from the pass-book and by enquiry at the treasury office that the cheque has not been cashed, its payment shall be stopped. The loss of the cheque shall be noted on the counterfoil. If a fresh cheque is not issued in place of the lost cheque, the procedure laid down in sub-rule (2) of rule 34 shall be followed. If a new cheque is issued, its number and date shall be quoted against the original entry in the general cash book with the remark that the original cheque has been lost and the following note shall be made on the counterfoil of this cheque :—

" Issued in lieu of cheque No.                      dated                      .  
lost  
destroyed "

## Cash Book.

36. *Cash book*.—The general cash book shall be in Form No. Cant. 8-B, and shall be closed and balanced daily, and signed by the Executive Officer <sup>1</sup>[or such other officer as the Cantonment Authority may direct]. At the end of each month the receipts and expenditure entered in the cash book shall be compared item by item with the pass book and the balances agreed, the difference, if any, being explained in a footnote in the general cash book as under:—

	Rs.
Cash book closing balance . . . . .	.
<i>Deduct</i> income (a) not yet credited into the treasury . . . . .	.
Total	.
<i>Add</i> amount of uncashed cheques detailed below (b) . . . . .	.
Balance as per pass book . . . . .	.
Details of—	
(a) . . . . .	.
(b) . . . . .	.

<sup>2</sup> Inserted by Notification No. 332-I., dated the 29th May, 1928. *Gazette of India*, 1928, Pt. I, p. 544.

*Classified Abstract.*

37. *Classified Abstract.*—(1) For the classification of receipts and expenditure, a classified abstract shall be maintained in Form No. Cant. 9-B. The Form shall be kept in two volumes, one for income and one for expenditure. A separate page shall be opened for each item of the budget estimate under which provision has been made, and the receipts and charges appertaining to those items for each day shall be taken, either as they occur or in the aggregate for the day, from the general cash book or from the bills, and entered in the appropriate columns of the abstract. At the end of each month the totals and progressive totals shall be made under each of the heads of the abstract, any transfer entries which may have been made in accordance with these rules being taken into account.

(2) Subject to strict compliance with sub-rule (1), the Cantonment Authority may open in the classified abstract such subsidiary heads of account as will enable it to furnish any special information required by higher authority, and to prove other subsidiary accounts and registers.

*Transfer Entries.*

38. *Of making transfer entries.*—Transfer entries, namely entries by means of which an amount is transferred from one head of account to another, shall be made in the following cases:—

- (a) to correct an error of classification, by deducting an amount from the head to which it has been incorrectly credited or debited, and adding it to the head to which it should have been credited or debited;
- (b) to adjust an advance against a bill for expenditure, by adding the amount to the proper head of expenditure and to the head “Advances” on the receipt side;
- (c) to adjust a recovery of expenditure, in which case the amount recovered shall first be credited to the receipt head “Miscellaneous—other items” and then adjusted by deduction from that head and from the head of expenditure to which it was originally debited;
- <sup>1</sup>[(d) to adjust a refund of income made in the year in which the income was originally received, in which case the amount refunded shall first be charged under “Refunds” to the head of expenditure corresponding to the head of receipt to which it was originally credited (or if there be no such head, to “Miscellaneous Refunds”) and then adjusted

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<sup>1</sup> Inserted by Notification No. 474-I., dated the 17th August, 1927. *Gazette of India*, 1927, Pt. I, p. 851.

monthly by deduction from that head and from the head of receipt. No adjustment is necessary in the case of refunds of income received in a previous year].

39. *Form of transfer entry.*—(1) Transfer entries shall always be made as soon as the necessity for them is discovered, but no such adjustment shall be made in accounts which have been finally closed for the year.

(2) Every transfer entry shall be entered in Form No. Cant. 10-B, shewing the head or heads of account to be debited and the head or heads of account to be credited and the grounds upon which the adjustment is made. The entry shall be initialled by the Executive Officer and shall then be entered in the classified abstract of receipts and expenditure in the place provided.

*Explanation.*—In the case of the two heads “Advances” on the receipt side and “Deposits” on the expenditure side, entries under which will be mainly on account of adjustment by addition, the items may be entered in the body of the classified abstract instead of at the foot thereof.

#### *Annual Account.*

40. *Annual Account.*—(1) The Cantonment Authority shall prepare annually a consolidated account showing the receipts paid into, and payments made from, the cantonment fund, classified under the several major and minor heads contained in the budget estimate.

(2) The total of the details under each head of receipts and payments, as given in the consolidated account, shall agree exactly with the figures appearing against the entry “From 1st April to date” under the same heads in the classified abstract.

(3) A certificate shall accompany the consolidated account to the effect that the closing balance as shown in the account has been compared with the balance as shown in the treasury pass book and found to be correct.

(4) The consolidated account shall be forwarded in duplicate to the Accountant General who shall compare the two copies and forward one copy to the Officer Commanding-in-Chief, the Command, retaining the other copy in his own office for check by the auditor during audit with a view to furnishing the certificate of correctness prescribed by rule 12 (2).

<sup>1</sup>[(5) A copy of the consolidated account shall be posted by the Cantonment Authority on the Notice Board of the office of the Cantonment Authority.]

41. *Consolidated annual statement.*—The Officer Commanding-in-Chief, the Command, shall forward to the Resident at Hyderabad as soon as possible after the close of each financial year, a statement showing

<sup>1</sup> Inserted by Notification No. 474-I., dated the 17th August, 1927. *Gazette of India*, 1927, Pt. I, p. 851.

under the several major and minor heads of receipt and expenditure in the budget estimates, the actual income and expenditure of each of the cantonment funds in his Command for the preceding financial year, together with a certificate showing that the closing cash balance of each fund, as shown in the annual account prescribed by rule, has been compared with the balance as shown in the treasury pass book and has been found to be correct.

• *Miscellaneous Advances.*

42. *Miscellaneous advances.*—All advances other than permanent advances and advances from the provident fund shall be made by the Cantonment Authority and entered in a register in Form No. Cant. 11-B. All the advances outstanding at the end of the previous year shall be first entered and thereafter each advance made during the year shall be entered as soon as it is made. The total of the advances made during every month as shown in this register shall be agreed with the corresponding monthly total shown in the classified abstract, and the former shall be initialled by the Executive Officer in token of such agreement. The Executive Officer shall be responsible for the recovery of all such advances and shall bring to the notice of the Cantonment Authority any case in which the recovery has not been made in due time. When an advance is recovered in cash, or adjusted by deduction from a bill or by transfer entry, the amount shall be noted against the original advance in the column for the month in which the recovery or adjustment is made.

Adjustment by bill shall not be made unless such bill has been accepted and passed.

The monthly columns for recoveries shall be totalled at the end of the month and the total shall be agreed with the corresponding credit under "Advances" in the classified abstract of receipts and initialled by the Executive Officer.

The register shall be balanced at the end of the year and the outstanding balances carried forward to the next year.

*Scrutiny of Bills.*

43. *Scrutiny of bills.*—(1) In addition to accounting for all the expenditure incurred, it shall also be the duty of the Executive Officer to see that no charge is paid twice over, and that budget allotments are not exceeded.

(2) To guard against the possibility of double payments and other irregularities and complications in accounts and also in order to keep a watch on liabilities and their adjustment, a personal ledger may be kept by the Cantonment Authority in Form No. Cant. 12-B, for persons with whom business is continuously carried on or a running account is kept.

(3) When work is done for private persons for which payments have to be made to the person doing the work and recoveries are made from the persons for whom the work is done, separate accounts shall be kept in the personal ledger for the person doing the work and for the person for whom the work is done and cross references given.

#### CHAPTER IV.—ESTABLISHMENT AND CONTINGENT CHARGES.

##### *Scale Register.*

44. *Scale register.*—(1) The entire establishment of the Cantonment Authority shall be recorded, under the signature of the Executive Officer, in a scale register in Form No. Cant. 13-B. For the purposes of pay and audit, establishments which are charged under different major heads of the budget estimates shall be treated as distinct establishments and shall be distributed into “sections”, a separate page being allotted to each section in the scale register. The “sections” in the register shall exactly correspond with those in the pay bill.

(2) Temporary establishment shall be recorded separately from the permanent establishment at the end of the space allotted for the latter, the period for which the temporary establishment has been sanctioned being distinctly specified in the column of remarks.

*Explanation.*—By temporary establishment is meant establishment which is employed and paid by the month. Daily labour is not included in the term temporary establishment and is a contingent and not an establishment charge.

(3) All other fixed recurring charges, *e.g.*, rents, contributions, etc., shall be recorded in a separate page of the scale register.

##### *Revision of establishment.*

45. *Proposals for revision of establishment.*—When any change, permanent or temporary, is proposed in the number, or pay, of appointments in the establishment of the Cantonment Authority, a letter fully explaining the proposals and the conditions which have given rise to them <sup>1</sup>[shall, save in the case of the appointment of temporary servants under rule 7 of the Secunderabad and Aurangabad Cantonment Fund Servants Rules, 1926, be submitted to the Officer Commanding-in-Chief, the Command]. In this letter should be set out—

(i) the present cost, either of the “section” or “sections” affected, or of the total establishment, as the circumstances of the case may indicate to be necessary;

(ii) the cost of the revision;

<sup>1</sup> Substituted by Notification No. 319-I., dated the 15th May, 1929. *Gazette of India*, 1929, Pt. I, p. 699.



- (iii) details of the number and pay of the appointments which it is proposed to add or modify;
- (iv) the ability of the Cantonment Authority to meet the additional expenditure from its normal income; and
- (v) the date or dates from which the proposed changes are to take effect.

46. *Proposition statement.*—(1) In cases of general revision of establishment, or of proposals which cannot be set out clearly otherwise, a proposition statement in duplicate in Form No. Cant. 14-B shewing clearly the financial effect of the proposed change shall also be submitted.

(2) If the change would affect only a section or a portion of the establishment, the proposition statement shall ordinarily be confined to the section or the portion of the establishment affected by the proposals.

47. *Sanction for revision of establishment.*—On receipt of the proposals for permanent or temporary changes in the establishments the Officer Commanding-in-Chief, the Command, may sanction or refuse to sanction any such revision, or may sanction it with such modifications as he may consider fit. The statement of revision shall then be returned to the Cantonment Authority as early as possible with the sanction or modification, and shall be filed for reference at the time of audit.

48. *Pay bills.*—(1) The pay of the establishment of a Cantonment Authority shall not be drawn or paid before the first working day of the month succeeding that by the labour of which it has been earned or on such other day after the first working day of the month as the Cantonment Authority may direct. In cases of dismissal, transfer, resignation or death pay shall be drawn and disbursed immediately after it becomes due.

(2) The pay of the entire permanent establishment of the Cantonment Authority shall be drawn on one monthly pay bill in Form No. Cant. 15-B; the names of incumbents on less than Rs. 10 may be omitted from the pay bill.

(3) When pay is drawn for a portion of a month only, the rate at which, and the number of days for which, it is drawn, shall be entered in column 1 under the name of the incumbent. Pay, officiating pay and leave salary, whether drawn or not, shall be entered in columns 3 to 6. Pay, officiating pay and leave salary not drawn but held over for future payment shall be entered in column 7, the reason for their being held over being briefly noted. When the amount is subsequently drawn on a supplementary bill reference to the drawal shall be given in the original bill from which the charge was withheld in order to prevent a second claim being entertained. The establishment of each section shall be grouped, marked off by a line and totalled separately in red ink.

(4) Arrear pay shall not be drawn in the ordinary monthly bill, but in a separate bill, the amount claimed for each month being entered separately with quotation of the bill from which the charge was omitted or withheld or on which it was refunded by deduction, or of any special order granting with retrospective effect a new allowance. Such bills may be paid at any time and may include as many items as are necessary.

(5) The pay of all temporary establishments shall be billed for separately in the same form, the sanction being quoted.

(6) Officials absent on leave or deputation or under suspension shall be clearly shown as such in the monthly pay bills and any officiating arrangements that may have been made shall be noted.

(7) Fines shall not be recovered in cash from the pay of establishments, but shall be entered in column 8 of the pay bill.

(8) The pay of daily labourers shall be drawn on muster rolls.

49. *Production of last pay certificate by officials transferred to the Cantonment Authority.*—In the case of officials transferred to the service of the Cantonment Authority from Government service or service under another local authority and drawing pay for the first time from the Cantonment Authority, payment shall be made only on production of a last pay certificate.

50. *Separate cheque for the amount payable to the Provident Fund.*—Two cheques shall be drawn in payment of a pay bill, one in favour of the President or Executive Officer for the net amount payable (column 12) and the other in favour of the Imperial Bank of India or the Postmaster for the subscriptions and contributions to the Provident Fund (total of columns 11 and 14).

#### *Distribution of pay.*

51. *Distribution of pay.*—(1) When the pay bill has been drawn the money shall be promptly disbursed to the payees concerned and their signatures taken in the proper column of the bill, which shall be stamped, if necessary, by the payee. If the payee does not present himself before the end of the month, his pay shall be refunded by short-drawal on the next bill and redrawn when he presents himself.

(2) The Officer signing a pay bill is personally responsible for all pay and leave salaries drawn thereon until the same have been paid to the proper recipients and the latter have signed a quittance for the same. When the recipient is illiterate his thumb impression or seal shall be taken.

(3) Pay and leave salaries shall be disbursed by the Executive Officer in person or by such other official of the Cantonment Authority as the Cantonment Authority may direct.

52. *Acquittance Roll*.—If in any case it is impracticable to obtain the payee's receipt on the bill itself, and in the case of employees on less than Rs. 10 whose names may have been omitted from the pay bill, a separate acquittance roll in the following form may be obtained and attached to the bill, a remark to this effect being made in column 13 of the bill.

NOTE—(2) Income-tax should be credited to Government in accordance with local practice. A cheque for the amount may be drawn in favour of the Income-tax officer or his nominee, or the amount may be included in the cheque for the pay drawn for the establishment and the cheque endorsed "Pay by transfer credit to Government on account of income-tax Rs. . . . .".

NOTE.—(2) Care should be taken to see that the amount in column 14 representing the contributions to the Provident Fund by the Cantonment Authority is posted in the classified abstract under the sub-head "Contribution to Provident Fund", the remainder of the bill being taken to the head for the pay of the establishment concerned.

Acquittance roll of.... ..establishment for .. ..19 ..

Name.	Post.	Pay.	Deductions as per Bill.	Net Amount paid.	Signature of payee.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	

## Provident Fund.

53. *Subscriptions to Provident Fund.*—In the case of employees permitted to subscribe to the Cantonment Provident Fund under the Cantonment Provident Fund Rules, the amounts subscribed by employees and contributed by the Cantonment Authority (including sanctioned bonuses if any) shall be noted in the appropriate columns of the pay bill, and shall be paid into the Imperial Bank of India (Savings Bank) or

Post Office Savings Bank, whenever possible, between the 1st and 4th of each month so that interest may accrue.

The Provident Fund may be invested in Government securities in accordance with the Post Office Savings Bank rules, or in Government of India loans.

54. *Provident Fund ledger.*—For subscribers to the Provident Fund, a Provident Fund ledger in Form No. Cant. 16-B and broadsheet in Form No. Cant. 17-B shall be maintained and written up in accordance with the following provisions:—

- (1) Amounts credited or debited to the Provident Fund shall, on the same day, be posted in the provident fund ledger, the credit side of which shall tally with the entries in the pay bill.
- (2) The entries in column 7 of the ledger shall except in the case provided by clause (5) be made once a year only.
- (3) As soon as possible after the close of the month, the minimum balance at the credit of the account between the close of the 4th day and the end of the month, shall be entered in column 14 of the ledger and carried into the broadsheet.
- (4) At the close of the financial year the columns of the broadsheet shall be totalled, and the amount of interest added by the Imperial Bank of India or Post Office in the pass-book on the entire amount of the sums deposited during the year to the credit of the Cantonment Authority, less any amount already entered during the year under clause (5), shall be distributed among the individual accounts proportionately to the sums of each column (disregarding fractions of a rupee) of the broadsheet.

The “total of interest payable” shall correspond with the amount of interest added by the Imperial Bank of India or the Post Office.

- (5) When an account is paid, transferred, or closed, interest shall be calculated on that account only, as nearly as possible in accordance with the rules in force in the Imperial Bank of India or the Post Office.

The amount of interest calculated shall be entered in column 7 of the ledger against the account concerned and in the appropriate place in the broadsheet, before payment is made.

- (6) At the close of each month, the grand total of column 13 of the provident fund ledger for such month shall be compared with the closing balance shown in the Imperial Bank

of India (Savings Bank) or the Post Office Savings Bank pass-book and any discrepancy explained in a footnote in the ledger.

55. *Dead accounts.*—When an account is written off under the Cantonment Provident Fund Rules as a dead account it shall be closed in the Provident Fund ledger, and the money shall be drawn out of the Savings Bank and credited in the general cash book as a miscellaneous receipt. If the amount is subsequently claimed, the fact of payment shall be noted against the entry in each account book to avoid a double payment.

56. *Register of advances.*—The recovery of advances made from the Provident Fund shall be watched through a register in the same form as, but kept separate and distinct from, the Register of Advances (Form No. Cant. 11-B). The entries of repayment in this register shall be made from the pay bills. The instalments of the advance as recovered shall be noted in column 11 of the pay bill and added to the monthly subscription shown therein, a note being made in the remarks column of both the bill and the ledger to show how much is on account of recovery of advance and how much on account of the monthly subscription.

#### *Contingent charges.*

57. *Contingent charges.*—(1) All miscellaneous charges for which forms have not been prescribed elsewhere in these rules, shall be drawn in a contingent bill in Form No. Cant. 18-B unless the claimant presents his own bill or statement of account, in which case payment shall be made on that document.

(2) In the case of travelling allowance the following details shall be furnished in the bill:—

- (a) Name and designation of the officer.
- (b) Maximum pay of the appointment.
- (c) Dates and hours of journeys and halts.
- (d) Route from and to.
- (e) Purpose of journey.
- (f) By rail or otherwise, etc.
- (g) If by road, the number of miles.

#### *Permanent Advance.*

58. *Holder of a permanent advance.*—An Executive Officer or any official whose duties cause him to incur petty expenses which must be paid before money can be drawn on a contingent bill may, with the sanction of the Cantonment Authority, be allowed a permanent advance

of an amount fixed on the supposition that recoupments will be made at least once a month.

All permanent advances shall be recorded in a register in Form No. Cant. 19-B.

59. *Acknowledgment of a permanent advance.*—Each holder of a permanent advance shall on first receiving it and thereafter on the 1st of April in each year, sign an acknowledgment in these terms—

“ I acknowledge to have in my possession a permanent advance of Rs.                      which sum is due from and to be accounted for by me ”.

On transfer of charge of an office a similar acknowledgment for the full amount shall be signed by the relieving officer and shall be filed.

60. *Permanent advance account.*—Each officer holding a permanent advance shall keep up a permanent advance account in Form No. Cant. 20-B., in which shall be entered the items of expenditure from the advance as they occur. All sub-vouchers and receipts shall be preserved and assigned a serial number to be entered in the advance account. The headings of the columns shall follow the items in the budget estimates and the serial number of the sub-vouchers shall always recommence with No. 1 after each recoupment.

61. *Recoupment of permanent advance*—(1) When the cash in hand is running low, and at the end of the financial year, whatever the amount in hand may then be, the permanent advance shall be recouped as follows:—

A red line shall be ruled across the page of the permanent advance account, the total of the items cast, and a contingent bill prepared in Form No. Cant. 18-B., in which full details of expenditure shall be given. The contingent bill shall be supported by vouchers. The officer responsible for the permanent advance shall compare the contingent bill with his permanent advance account, initial the grand total in the latter, and having stamped the sub-vouchers as “ cancelled ” sign the contingent bill, and submit it to the cantonment office for payment.

The recoupment of expenditure from the last recoupment to date, shall always be made in full so that the amount in hand will be the full amount of the advance.

(2) In the case of recoupment of the permanent advance held by the Executive Officer or any other official authorised to hold it the disbursement certificates and payment order may be recorded in the permanent advance account register itself and a contingent bill need not be prepared.

## CHAPTER V.—PUBLIC WORKS, STORES AND STOCK ACCOUNTS.

*Public Works.*

62. *Application of rules.*—(1) Rules 63, 64, 65 and 66 apply only to works executed by the Cantonment Authority through its own agency.

(2) The duties prescribed in rules 63, 64 and 65 shall, save as otherwise provided, be performed by the Executive Officer or by such official of the Cantonment Authority as the Cantonment Authority may by special or general order prescribe.

63. *Register of works.*—An account of all works shall be kept in a register of works in Form No. Cant. 21-B., to be maintained in the cantonment office. Columns 1-6 shall be filled in after the estimate has been sanctioned by the competent sanctioning authority. The estimate shall be in the following form:—

Estimate number . . . . . Date . . . . . Particulars (including time  
to be taken, materials, etc.)

[illegible]

## Measurement Book.

64. *Measurement book.*—(1) All works done (whether by contract, or by piece) and all materials received which have to be counted or

measured shall be measured by the Overseer or other official deputed for the duty of taking measurements and the measurements shall be entered in a measurement book in Form No. Cant. 22-B., under his dated initials. Entries may be in pencil except the figures for “ contents ” which shall be in ink.

(2) The measurements so recorded shall be checked by the official in charge of the work and the book initialled and dated by him. The calculations in the measurement book shall be checked in the office.

(3) From the measurement book all quantities shall be clearly traceable in the bill, and when a bill is passed a diagonal line in red ink shall be drawn across the connected entries in the measurement book, and a reference quoted therein to the number and date of the bill.

(4) The measurement books shall be serially machine numbered and when completed shall be filed in the cantonment office where their return shall be watched through the stock book of forms.

#### *Bills.*

65. *Contractors' bills.*—(1) Contractors' bills shall be submitted and paid monthly, final bills being marked clearly as such.

Before payment the bill shall be compared with the plans and estimates, if any, and checked with the measurement book by the official in charge of the work, who shall then countersign it and pay it from his permanent advance or pass it for payment to the cantonment office.

(2) The page of the measurement book shall be noted on the bill at the time it is passed, and the serial number in the register of works shall be similarly noted at the time the bill is entered in such register.

(3) In the case of work carried out by daily labour, a muster roll in Form No. Cant. 23-B., shall be maintained by the official in charge of the work, and shall be written up daily by the Overseer or official deputed for the purpose.

#### *Completion Report.*

66. *Completion Report.*—Final payment for a work shall not be made until a completion report has been made by the official appointed by the Cantonment Authority in this behalf that the work has been satisfactorily carried out in accordance with the sanctioned plans and estimates, material variations, if any, being explained.

#### *Estimate for Stores.*

67. *Stores estimate.*—The Cantonment Authority shall cause to be prepared for each department, e.g., public works, conservancy, lighting,



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etc., an estimate in the following form for the stores required during the ensuing financial year:—

Description of Stores.	Balance in hand on (date).	Number or quantity required.	Number or quantity to be purchased	Estimated cost.	Remarks.

This estimate shall be accompanied by a statement showing, how the estimated requirements have been arrived at.

68. *Consideration of estimate.*—(1) The estimate shall be considered by the Cantonment Authority along with the budget and orders shall be passed thereon as to whether tenders are to be invited for the supply, or whether the stores are to be purchased in the open market at rates approved by the Cantonment Authority.

(2) When the annual estimate has been passed by the Cantonment Authority the Executive Officer or any official authorised by the Cantonment Authority in this behalf may obtain stores as required from time to time up to the amount in the sanctioned estimate at the rates in the accepted tender, or the rates approved by the Cantonment Authority, as the case may be.

69. *Supplementary estimate.*—(1) If any stores are required which are not included in the sanctioned estimate, or in excess of the amount or quantity entered therein, or which cannot be obtained at the rates approved of by the Cantonment Authority, a supplementary estimate shall be submitted for the special sanction of the Cantonment Authority provided that in cases of emergency the President of a Cantonment Board may sanction such estimate and lay it before the Board for approval at the next meeting.

(2) In cantonments where there is no Board, the estimate shall be sanctioned by the Commanding Officer of the cantonment.

*Register of Immoveable Property.*

70. *Register of immoveable property.*—A list of immoveable property belonging to the Cantonment Authority shall be maintained by the Cantonment Authority in a register in Form No. Cant. 24-B.

The original cost of the property or a valuation made by the Executive Engineer, as well as the cost of any additions made to it from time to time or any decrease in value shall be noted in this register. If the property is rented out or sold a note to this effect shall be made in the remarks column under the dated initials of the Executive Officer.

*Register of Moveable Property.*

71. *Register of moveable property.*—All moveable property of a permanent or durable nature such as engines or machines, conservancy and road, watering carts and animals, lamps, lamp-posts, lawn-mowers, meters, furniture, etc., shall be recorded in a register of moveable property in Form No. Cant. 25-B., under the initials of the Executive Officer or such other official as the Cantonment Authority may direct, or, in the case of departments under the direct supervision of a separate official, under the initials of that official. When the property is disposed of finally by sale or otherwise, the particulars of disposal shall be entered in columns 8—12 under the initials of the Executive Officer or official, as the case may be, who shall be responsible that the register is a complete record of such moveable property belonging to the Cantonment Authority as is required to be shown therein.

*Stock Books.*

72. *Stock books.*—(1) For expendable stores such as public works and workshop stores, fodder, gram, disinfectants, oils, chimneys, spare parts, etc., stock books shall be kept by the officials in charge of the departments or stores, in Form No. Cant. 26-B., in which a separate page or pages, according to requirements, shall be allotted to each kind of store.

(2) When any articles are sold to the public or used on works done for private persons, the entry in column 7 of the stock book shall clearly indicate to whom the things have been sold or on what particular work they have been used, and necessary references shall be given in the remarks column to admit of the recovery or adjustment of the cost being traced to the appropriate account.

(3) The stock books shall be closed monthly and the balances verified by the officer who keeps the book, and the fact of verification with the date noted under his initials in the column of remarks.

(4) All expendable stores in hand shall be revalued within the market rates at the end of each half-year.

73. *Checking of books with stock books and registers before payment.*—Before a bill is passed for payment the officer passing the payment order shall see that the articles billed for have been entered in the appropriate stock book or the property register, as the case may be, and that a reference to the entry in the register is quoted in the bill.

*Lighting.*

74. *Lighting scale.*—To enable the Cantonment Authority to exercise a check upon the quantity of oil consumed, a scale shall be pre-

pared, showing the quantity of oil consumed in a given time by lamps of the different patterns in use in the cantonment. A copy of the sanctioned scale shall be kept in each oil godown. The Executive Officer or official in charge of lighting shall periodically check the consumption of oil by comparison with this scale.

#### *Verification of Property.*

75. *Verification of property.*—The whole of the moveable property of the Cantonment Authority as recorded in the stock books or register of moveable property shall be verified by the Executive Officer at such intervals, not exceeding one year, as the Cantonment Authority may prescribe.

The verifying officer shall initial the entries in the registers, and furnish a separate certificate indicating the results of his verification.

### CHAPTER VI.—MISCELLANEOUS.

#### *Register of Loans.*

76. *Register of loans.*—All loans received by the Cantonment Authority shall be recorded in a register of loans in Form No. Cant. 27-B., each instalment of the loan, as it is taken, being recorded in column 4. Each entry in the register shall be attested by the Executive Officer. A separate page shall be opened for each loan; and loans from Government shall be kept distinct from loans received from other sources.

#### *Register of Investments.*

77. *Register of investments.*—A record of all investments shall be maintained in a register of investments in Form No. Cant. 28-B. Each entry therein shall be attested by the Executive Officer. Government securities shall be kept distinct from other investments.

#### *Registers of Deposits.*

78. *Register of deposits.*—(1) All deposits made with a Cantonment Authority, otherwise than in cash, *e.g.*, Government paper, or other stock, or security bonds, shall be recorded in a security deposit register in Form No. Cant. 29-B. In the case of bonds, if property is hypothecated, a brief description of the property shall be given in the remarks column, and the heading of column 10 shall be changed to "name of depositor."

(2) Deposits in cash shall be noted in a Register of Deposits in Form No. Cant. 11-B. Separate sets of pages shall be set aside for each class of deposit, and each part of the register shall open with the details of the outstanding balances of the previous year as shown in the

register of that year. The deposits received during the years shall then be entered in the proper part as each transaction occurs. At the end of the month a total of the deposits received during it shall be made and the total reconciled with the corresponding figure in the monthly classified abstract and initialled by the Executive Officer.

Repayments in cash or by transfer shall be noted against the original credit in the column for the month in which the refund is made and a total of the postings shall be made at the end of the month and agreed with the corresponding figure in the classified abstract. Unclaimed deposits, which under rule have not already been transferred to the credit of the cantonment fund, shall on the expiry of three years be so transferred by transfer entry in the manner described in rule 38 (a). A deposit once credited to the cantonment fund shall not be repaid without the sanction of the Cantonment Authority.

*Annual verification of Securities.*

79. *Annual verification of securities.*—Securities shall be examined and verified by the 1st of April of each year, and a certificate of verification shall be given by the Executive Officer in the remarks column of the register against each entry therein.

*Statement of dues realized by Courts.*

80. *Statement of dues realized by courts.*—Courts realizing fines, which under any law in force are creditable to the cantonment fund, or arrears of a cantonment tax, shall submit to the Cantonment Authority a monthly statement of the sums remitted by them direct into the treasury for credit to the cantonment fund. Sums so received shall be brought to account direct from the pass book into the general cash book, before the latter is closed for the month: provided that, on the receipt of the monthly statement, the entries therein shall be checked with the pass book and any discrepancy reconciled before any entry is made in the general cash book.

If a refund is ordered, a note of the refund shall be made against the original credit entry in the monthly statement concerned before payment of the refund is made.

*Stamp Account.*

81. *Stamp Account.*—In order to enable a check to be kept upon the number of stamps expended by each department using stamps upon the business of the Cantonment Authority, a stamp register shall be maintained in Form No. Cant. 30-B. This register shall be used primarily for postage stamps, but also for receipt or other stamps, separate pages being allotted for each description, and columns 5 and 6 being modified

as required. The balance of stamps in hand shall be verified once a month by the official in charge of the department, who shall make a note of the verification in the remarks column under his signature. This register will also serve the purpose of a despatch register.

#### *Filing of Vouchers.*

82. *Filing of vouchers.*—Vouchers and *chalans* shall be numbered serially for each month, and shall be filed with the sub-vouchers in support of them in guard files in the cantonment office.

Acquittance rolls may be filed separately in the cantonment office.

#### *Indent for Forms.*

83. *Indent for forms.*—The Cantonment Authority shall obtain all forms prescribed by these rules or by other rules under the Act from the Deputy Controller (Forms) Calcutta. On or about the 1st November in each year an indent in a form to be obtained from the said Deputy Controller shall be sent to that officer for the forms likely to be required during the following financial year. The cost of the forms supplied shall be paid immediately on receipt of advice from the Deputy Controller of the amount due.

#### *Stocks of Forms.*

84. *Stocks of forms.*—(1) An account of all forms shall be kept in the stock book (Form No. Cant. 26-B) in the cantonment office. In the case of forms in which receipts for money received are granted, the entry in columns 4 and 8 shall clearly indicate the printed book or other number of the books received and issued. The books shall be issued in serial order and a new book shall not be issued until all forms in the book it replaces have been used and the book with the counterfoils returned, a note of the return being made in the remarks column under the dated initials of the issuing official.

(2) The balance of forms in stock shall be verified periodically by the Executive Officer.

(3) Vouchers, registers and other forms shall not be eliminated or destroyed otherwise than in accordance with the general rules regulating the retention or destruction of cantonment accounts records contained in the First Schedule to these rules.

#### *Custody of Valuables.*

85. *Custody of valuables.*—Government promissory notes and similar valuables belonging to Cantonment Authorities shall be kept in the treasury in a strong box, the keys of which shall remain with such person as the Cantonment Authority may direct.

*Minimum Balance.*

86. *Minimum balance.*—The actual cash balance of the Cantonment Authority shall not, without the previous consent of the Officer Commanding-in-Chief, the Command, be less than one-tenth of its estimated annual expenditure. Such sum shall not include invested funds.

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SCHEDULE I.

[See RULE 84 (3).]

*Rules regulating the destruction of cantonment accounts records.*

*Class I.*—Shall be retained permanently:—

- (1) General Cash book (Form No. Cant. 8-B).
- (2) Provident Fund ledger (Form No. Cant. 16-B).
- (3) Register of immoveable property (Form No. Cant. 24-B).
- (4) Annual accounts (rule 40).
- (5) Register of loans (Form No. Cant. 27-B).
- (6) Register of investments (Form No. Cant. 28-B).
- (7) Security deposit register (Form No. Cant. 29-B).
- (8) Such other records as the Cantonment Authority may decide to be of permanent interest.

*Class II.*—Shall not be destroyed until ten years after conclusion of audit—

- (1) Vernacular registers of which there are English counterparts or abstracts which are retained permanently.
- (2) Assessment lists.
- (3) Registers in the nature of Demand and Collection registers.
- (4) Scale register (Form No. Cant. 13-B).
- (5) Cash books other than the General Cash book.
- (6) Register of moveable property (Form No. Cant. 25-B).
- (7) Register of permanent advances (Form No. Cant. 19-B).

*Class III.*—Shall not be destroyed until five years after conclusion of audit—

- (1) Subsidiary cash register (Form No. Cant. 3-B).
- (2) Classified abstract (Form No. Cant. 9-B).
- (3) Personal ledger (Form No. Cant. 12-B).
- (4) Register of works (Form No. Cant. 21-B).
- (5) Measurement book (Form No. Cant. 22-B).
- (6) Register of advances or deposits (Form No. Cant. 11-B).

*Class IV.*—Shall not be destroyed until three years after conclusion of audit—

All records other than those mentioned in Classes I to III.

SCHEDULE II.

*Forms.*

- Form Cant. 1-B.*—Budget estimate.  
*Form Cant. 1-B (Appendix A).*—Statement of original works.  
*Form Cant. 1-B (Appendix B).*—Statement of investments.  
*Form Cant. 2-B.*—Re-appropriation statement.  
*Form Cant. 3-B.*—Subsidiary Cash register.  
*Form Cant. 4-B.*—General receipt.  
*Form Cant. 5-B.*—Chalan in duplicate.  
*Form Cant. 5-A-B.*—Chalan in triplicate.  
*Form Cant. 6-B.*—Treasury pass-book.  
*Form Cant. 7-B.*—Cheque.  
*Form Cant. 8-B.*—General Cash book.  
*Form Cant. 9-B.*—Classified abstract.  
*Form Cant. 10-B.*—Transfer entry form.  
*Form Cant. 11-B.*—Register of advances or deposits.  
*Form Cant. 12-B.*—Personal ledger.  
*Form Cant. 13-B.*—Scale register.  
*Form Cant. 14-B.*—Proposition statement.  
*Form Cant. 15-B.*—Pay bill.  
*Form Cant. 16-B.*—Provident Fund ledger.  
*Form Cant. 17-B.*—Provident Fund broadsheet.  
*Form Cant. 18-B.*—Contingent bill.  
*Form Cant. 19-B.*—Register of permanent advances.  
*Form Cant. 20-B.*—Permanent advance account.  
*Form Cant. 21-B.*—Register of works.  
*Form Cant. 22-B.*—Measurement book.  
*Form Cant. 23-B.*—Muster roll.  
*Form Cant. 24-B.*—Register of immoveable property.  
*Form Cant. 25-B.*—Register of moveable property.  
*Form Cant. 26-B.*—Stock book.  
*Form Cant. 27-B.*—Register of loans.  
*Form Cant. 28-B.*—Register of investments.  
*Form Cant. 29-B.*—Register of security deposits.  
*Form Cant. 30-B.*—Stamp Account.

598 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders under Acts locally applied.)

Form No. Cant. 1-B. [Rule 16 (2)].

(To be printed on foolscap breadthwise, one side.)

Budget Estimate of Receipts of the Cantonment Fund for the financial year 19 -19 .

Heads of Receipts.	Average, 19 -19 to 19 -19 (past three years).	Actuals, 19 -19 (past year).	Estimates, 19 -19 (current year).		Estimate, 19 -19. (ensuing year).	Explanatory Remarks..
			Original.	Revised.		
	Rs.	Rs.	Rs.	Rs.	Rs.	
<b>I.—RATES AND TAXES.</b>						
(a) Octroi . . . .						
(b) Tax on the annual value of lands and buildings.						
(c) Tax on animals and vehicles						
(d) Tax on trades and professions.						
(e) Tolls (on roads and ferries)						
(f) Water-rate . .						
(g) Conservancy or scavenging tax.						
(h) Other taxes* . .						
Total of I . .						
<b>II.—REALIZATIONS UNDER SPECIAL ACTS.</b>						
(a) Pounds . . . .						
(b) Hackney carriages .						
(c) Other sources* . .						
Total of II . .						
<b>III.—REVENUE DERIVED FROM PROPERTY AND POWERS APART FROM TAXATION.</b>						
(a) Land—						
(1) Sale-proceeds of land.						
(2) Rent from land the property of Government.						
(3) Rent from land other than the property of Gov- ernment.						
Carried over . .						

\* To be specified in detail.



**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 599  
under Acts locally applied.)**

*Budget Estimate of Receipts of the                      Cantonment Fund for the  
financial year 19    -19                      —contd.*

Heads of Receipts.	Average, 19 -19 to 19 -19 (past three years).	Actuals, 19 -19 (past year)	Estimates, 19 -19 (current year).		Estimate, 19 -19 (ensuing year).	Explanator Remarks
			Original.	Revised.		
Brought forward .	Rs.	Rs.	Rs.	Rs.	Rs.	
(a) Land— <i>contd.</i>						
(4) Sale of trees, fruit grass, wood, etc.						
(5) Public gardens receipts.						
(6) Other items* .						
(b) Buildings—						
(1) Income from buildings the property of Gov- ernment.						
(2) Income from buildings other than the pro- perty of Gov- ernment.						
(i) Sarais .						
(ii) Rest-houses .						
(iii) Dak Bunga- lows.						
(iv) Other buil- dings*.						
(c) Conservancy receipts (other than Taxes and Rates)—						
(1) Sale-proceeds of night-soil and sweepings.						
(2) Other receipts* .						
(d) Fines under canton- ment and other Acts.						
(e) Fees and revenue from educational institu- tions.						
(f) Fees and revenue from medical institutions.						
(g) Income from markets and slaughter-houses						
(1) Markets . . .						
(2) Slaughter-houses						
Carried over .						

\* To be specified in detail.

600 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders under Acts locally applied.)

Budget Estimate of Receipts of the financial year 19 -19 Cantonment Fund for the —contd.

Heads of Receipts.	Average, 19 -19 to 19 -19 (past three years).	Actuals, 19 -19 (past year).	Estimates, 19 -19 (current year).		Estimate, 19 -19 (ensuing year).	Explanatory Remarks.
			Original	Revised		
Brought forward .	Rs.	Rs.	Rs.	Rs.	Rs.	
(h) Other revenue .						
(1) Warrant fees .						
(2) Distraint fees .						
(3) Copying fees .						
(4) Registration fees .						
(5) License fees .						
(6) Bonded ware- house receipts.						
(7) Sale of water .						
(i) Sale-proceeds of water.						
(ii) Rent of meters						
(iii) Other Items*						
(i) Fairs .						
(1) Other Items* .						
(j) Interest on Invest- ments.						
Total of III .						
IV.—MISCELLANEOUS.						
(a) Recoveries on account of services rendered to private indivi- duals.						
(b) Other Items* .						
Total of IV .						
Total receipts from local sources.						
V.—GRANTS AND CONTRI- BUTIONS FROM GENERAL AND SPECIAL SOURCES.						
(a) Grants-in-aid from Head II—1 Administration of cantonments.						
from						
(b) Contributions .						
Total of V .						
Total income from all sources.						
Carried over .						

\* To be specified in detail.

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 601**  
*under Acts locally applied.)*

*Budget Estimate of Receipts of the Cantonment Fund for the financial year 19 -19 —concl'd.*

Heads of Receipts.	Average, 19 -19 to 19 -19 past three years).	Actuals, 19 -19 (past year).	Estimates, 19 -19 (current year).		Estimate, 19 -19 (ensuing year).	Explanatory Remarks.
			Original.	Revised.		
Brought forward .	Rs.	Rs.	Rs.	Rs.	Rs.	
VI.—EXTRAORDINARY AND DEBT.						
(a) Sale-proceeds of Gov- ernment securities and withdrawals from Savings Bank.						
(b) Loans from Govern- ment.						
(c) Realization from sink- ing funds for repay- ment of loans.						
(d) Advances . .						
(e) Deposits . .						
Total of VI .						
Opening balance .						
GRAND TOTAL .						

**Secretary, Cantonment Board.**

**President, Cantonment Board**

**or**

Commanding Officer of the Cantonment.

Office of the Cantonment Authority,

**Dated** 19

**Sanctioned.**

Officer Commanding-in-Chief,  
Command.

Station

**Dated**

602 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders under Acts locally applied.)

*Budget Estimate of Expenditure of the Cantonment Fund for the financial year 19 -19 .*

Heads of Expenditure	Average, 19 -19 to 19 -19 (past three years).	Actuals, 19 -19 (past year).	Estimates, 19 -19 (current year).		Estimate, 19 -19 (ensuing year).	Explanatory Remarks.
			Original.	Revised.		
	Rs.	Rs.	Rs.	Rs.	Rs.	
<b>A.—GENERAL ADMINIS- TRATION.</b>						
(1) Executive Officer .						
(2) Establishments .						
(3) Contingencies .						
Total of A. .						
<b>B.—COLLECTION OF REVENUE.</b>						
(1) Octroi—						
(a) Establishments .						
(b) Contingencies .						
(2) Other taxes—						
(a) Establishments .						
(b) Contingencies .						
(3) Miscellaneous Re- venue—						
(a) Establishments .						
(b) Contingencies .						
Total of B .						
<b>C.—REFUNDS.</b>						
(1) Octroi . . .						
(2) Other taxes . . .						
(3) Miscellaneous refunds						
Total of C .						
<b>D.—PUBLIC WORKS.</b>						
(1) Original works—						
(a) Buildings . . .						
(b) Roads . . .						
(c) Drainage . . .						
(d) Water-supply . .						
(e) Stores . . .						
(f) Miscellaneous public improve- ments.						

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 603  
under Acts locally applied.)**

**Budget Estimate of Expenditure of the Cantonment Fund for  
the financial year 19 -19 —contd.**

Heads of Expenditure.	Average, 19 -19 to 19 -19 (past three years).	Actuals, 19 -19 (past year).	Estimates, 19 -19 (current year).		Estimate, 19 -19 (ensuing year).	Explanatory Remarks.
			Original	Revised.		
	Rs.	Rs.	Rs.	Rs.	Rs	
<b>D.—PUBLIC WORKS— contd.</b>						
(2) Maintenance and repairs—						
(a) Buildings .						
(b) Roads .						
(c) Drainage .						
(d) Water-supply .						
(e) Stores .						
(f) Miscellaneous public improve- ments.						
(3) Establishments .						
Total of D .						
<b>E.—PUBLIC SAFETY AND CONVENIENCE.</b>						
(1) Fire—						
(a) Establishment .						
(b) Contingencies .						
(2) Lighting—						
(a) Establishment .						
(b) Contingencies .						
(3) Dak bungalows, rest- houses and Serais—						
(a) Establishment .						
(b) Contingencies .						
(4) Markets and slaughter houses—						
(a) Establishment .						
(b) Contingencies .						
(5) Pounds—						
(a) Establishment .						
(b) Contingencies .						
(6) Arboriculture, public gardens, tree-tending forests, etc.—						
(a) Establishment .						
(b) Contingencies .						
(7) Rewards for destruc- tion of wild or rabid animals and snakes.						
(8) Other Items .						
Total of E .						

*Budget Estimate of Expenditure of the Cantonment Fund for the financial year 19 -19 —contd.*

Heads of Expenditure.	Average, 19 -19 to 19 -19 (past three years).	Actuals, 19 -19 (past year).	Estimates, 19 -19 (current year).		Estimate, 19 -19 (ensuing year).	Explanatory Remarks.
			Original.	Revised.		
<b>F.—MEDICAL SERVICES AND SANITATION.</b>	Rs.	Rs.	Rs.	Rs.	Rs.	
(1) Hospitals and Dispensaries—						
(a) Establishment .						
(b) Contingencies .						
(2) Vaccination—						
(a) Establishment .						
(b) Contingencies .						
(3) Registration of births and deaths—						
(a) Establishment .						
(b) Contingencies .						
(4) Latrines, drainage, conservancy and scavenging—						
(a) Establishment .						
(b) Contingencies .						
(5) Water-supply—						
(a) Establishment .						
(b) Contingencies .						
(6) Watering of roads and drains—						
(a) Establishment .						
(b) Contingencies .						
(7) Epidemics, etc.—						
(a) Establishment .						
(b) Contingencies .						
(8) Fairs and festivals—						
(a) Establishment .						
(b) Contingencies .						
(9) Other Items .						
Total of F .						
<b>G.—PUBLIC INSTRUCTION.</b>						
(1) Primary and Secondary Schools—						
(a) Establishment .						
(b) Contingencies .						
(c) Contributions and grants-in-aid to educational institutions.						

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 605  
under Acts locally applied.)

*Budget Estimate of Expenditure of the Cantonment Fund for  
the financial year 19 -19 —contd.*

Heads of Expenditure.	Average, 19 -19 to 19 -19 (past three years).	Actuals, 19 -19 (past year).	Estimates, 19 -19 (current year).		Estimate, 19 -19 (ensuing year).	Explanatory Remarks.
			Original.	Revised.		
G.—PUBLIC INSTRUCTION— <i>contd.</i>	Rs.	Rs.	Rs.	Rs.	Rs.	
(2) Pension service contributions of teachers, libraries, museums, menageries, etc.						
Total of G .						
H.—CONTRIBUTIONS FOR GENERAL PURPOSES.						
(1) Service funds—						
(a) Contribution to provident fund.						
(b) Bonuses to provident fund.						
(2) Charitable and medical institutions.						
(3) Municipalities or Local Boards.						
(4) Imperial or Provincial funds towards services of Government servants lent to the Cantonment Authority.						
(5) Other contributions .						
Total of H .						
L.—PENSIONS, GRATUITIES AND ANNUITIES.						
J.—SURVEY OF LAND.						
K.—AMOUNT CREDITED TO HEAD.						
Military Works on account of proceeds from Water rate.						
L.—MISCELLANEOUS.						
(1) Interest on loans .						
(2) Discount . . .						
(3) Cost of work done for private individuals.						

*Budget Estimate of Expenditure of the Cantonment Fund for the financial year 19 -19 —contd.*

Heads of Expenditure.	Average, 19 -19 to 19 -19 (past three years).	Actuals, 19 -19 (past year).	Estimates, 19 -19 (current year).		Estimate, 19 -19 (ensuing year).	Explanatory Remarks.
			Original.	Revised.		
I.—MISCELLANEOUS— <i>contd.</i>	Rs.	Rs.	Rs.	Rs.	Rs.	
(4) Office and miscellaneous expenses—						
(a) Stationery. . .						
(b) Printing . . .						
(c) Official postage and postage labels.						
(d) Telegrams . . .						
(e) Books, periodicals, and maps.						
(f) Charges on account of indigent persons sent to Pasteur Institutes for treatment.						
(g) Law charges . .						
(h) Rents, rates and taxes.						
(i) Charges for audit of cantonment fund accounts.						
(j) Miscellaneous . .						
Total of L . . .						
Total Expenditure .						
M.—EXTRAORDINARY AND DEBT.						
(1) Investments—						
(a) In securities (other than for sinking fund).						
(b) Savings Bank . .						
(2) Payments to sinking fund.						
(3) Repayment of loans						
(4) Advances . . .						



**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 607  
under Acts locally applied.)**

*Budget Estimate of Expenditure of the Cantonment Fund for  
the financial year 19 -19 —concl'd.*

Heads of Expenditure.	Average, 19 -19 to 19 -19 (past three years).	Actuals, 19 -19 (past year).	Estimates, 19 -19 (current year).		Estimate, 19 -19. (onsuing year).	Explanatory Remarks.
			Original.	Revised.		
	Rs.	Rs.	Rs.	Rs.	Rs.	
<b>M.—EXTRAORDINARY AND DEBT—cont'd.</b>						
(5) Deposits . . .						
Total of M . . .						
Closing balance . . .						
<b>GRAND TOTAL . . .</b>						

Secretary, Cantonment Board.

President, Cantonment Board,

or

Commanding Officer of the Cantonment.

Office of the Cantonment Authority.

Dated 19 .

Sanctioned.

Officer Commanding-in-Chief,

Command.

Station

Dated

Form No Cant. I-B., Appendix A.  
(To be kept in manuscript.)

Original works recommended in order of urgency in the Financial year 19 -19 .  
Cantonment.

Description of work.	Estimated cost.	Amount previously expended.	Amount required to complete.	Amount proposed for 19 -19 .	Estimated annual income.*			Remarks.
					Gross income.	Estimated cost of upkeep and repairs.	Net income.	
1	2	3	4	5	Based on column 2.			9
					6	7	8	

\* To be completed for remunerative works only.

Executive Officer.

Dated

President, Cantonment Board,  
or  
Commanding Officer of the Cantonment.  
Dated

Form No. Cant. 1-B., Ap. endix B. [Rule 16 (e)].

(To be kept in manuscript.)

Statement showing the actual investment of the Cantonment Fund together with the probable additions to, or reductions thereof, as well as the interest actually realised or expected to be realised during the period shown.

Particulars of investment.	Opening balance.	Amount invested or proposed to invest.	Total.	Amount realised or intended to realise.	Closing balance.	Interest.	With whom investment is deposited.	Remarks.
Past year 19 -19 . . .								
Current year 19 -19 . . .								
Ensuing year 19 -19 . . .								

Form No. Cant. 2-B. (Rule 20 (2)).

To be printed on half foolscap lengthwise on loose sheets.)

Cantonment.

Statement of proposed re-appropriations in the Cantonment Fund Budget Estimate for 19 -19 .

Heads of Account affected by the proposal.

Heads of Account proposed to be increased.						Heads of account proposed to be decreased.			Explanation of the necessity for the proposed expenditure and why it was not foreseen and why the saving is anticompat.
Major Head.	Minor head and sub-head.	Amount of original grant.	Amount and re-appropriation by which original grant may have been increased or decreased.	Increase now proposed.	Major Head.	Minor head and sub-head.	Amount of original grant.	Amount and re-appropriation by which original grant may have been increased or decreased.	
1	2	3	4	5	6	7	8	9	10
				Rs.			Rs.	Rs.	Rs.
									11

Executive Officer.

Dated

President, Cantonment Board,  
or  
Commanding Officer of the Cantonment.  
Dated

### Subsidiary Cash Register.

Form No. Dent. 3-B. (Rule 23).  
(To be kept in manuscript.)

[illegible]

Form No. Cant. 4-B. [Rule 24 (1)].

(To be printed on one-fourth foolscap lengthwise, one side on loose sheets.)

(Counterfoil.)

Cantonment.

No.

Book No.

Received from

the sum of rupees (in words)

on account of

Dated

Executive Officer.

Cash book poster.

Form No. Cant. 4-B.

RECEIPT.

Cantonment.

No.

Book No.

Received from

the sum of rupees (in words)

on account of

Dated

Executive Officer.

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 613  
under Acts locally applied.)**

Form No. Cant. 5-B, (Rules 25-26).

To be printed on  $\frac{1}{2}$  sheet foolscap lengthwise, one side on loose sheets.)

**CHALAN FOR REMITTANCE OF MONEY TO THE**  
Cantonment Office  
Treasury.

**ORIGINAL.**

(To be retained in the  
Cantonment Office.)  
Treasury.

Dated 19 .

By whom brought.	On what account.	Amount.
		Rs. A. P.
Total in words .		
Notes as on back . . .	Rs. A. P.	
Gold . . . . .		
Silver, nickel and copper . .		
TOTAL .		

Cash received.  
Examined and entered.  
Treasurer. Accountant.  
Treasury Officer or Executive Officer.

Cantonment.

**CHALAN FOR REMITTANCE OF MONEY TO THE**  
Cantonment Office  
Treasury.

**DUPLICATE.**

(To be returned to the person making payment.)

Dated 19 .

By whom brought.	On what account.	Amount.
		Rs. A. P.
Total in words .		
Notes as on back . . .	Rs. A. P.	
Gold . . . . .		
Silver, nickel and copper . .		
TOTAL .		

Cash received.  
Examined and entered.  
Treasurer. Accountant.  
Treasury Officer or Executive Officer.

Form No. Cent. 5-A-B. (Rule 27).

(To be printed on  $\frac{1}{2}$  foolscap lengthwise, one side on loose sheets.)

CHALAN FOR REMITTANCE OF MONEY TO THE TREASURY.

ORIGINAL.

(To be retained in the Treasury.)

Treasury, dated 19 .

By whom brought.	On what account.	Amount.
		Rs. A. P.
Total in words .		

Notes (see reverse) .	
Gold . . .	
Silver, nickel and copper.	
Total .	

Cash received.  
Examined and entered.  
Treasurer. Accountant.  
Treasury Officer.

CHALAN FOR REMITTANCE OF MONEY TO THE TREASURY.

DUPLICATE.

(For the Cantonment Office.)

Treasury, dated 19 .

By whom brought.	On what account.	Amount.
		Rs. A. P.
Total in words .		

Notes (see reverse) .	
Gold . . .	
Silver, nickel and copper.	
Total .	

Cash received.  
Examined and entered.  
Treasurer. Accountant.  
Treasury Officer.

CHALAN FOR REMITTANCE OF MONEY TO THE TREASURY.

TRIPPLICATE.

(To be returned to the person making payment.)

By whom brought.	On what account.	Amount.
		Rs. A. P.
Total in words .		

Notes (see reverse) .	
Gold . . .	
Silver, nickel and copper.	
Total .	

Cash received.  
Examined and entered.  
Treasurer. Accountant.  
Treasury Officer.



ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 615  
under Acts locally applied.)

Treasury Pass Book.

Form No. Cant. 6-B. (Rule 28).  
(To be printed on  $\frac{1}{2}$  foolscap lengthwise.)

Monthly consecutive number of item of receipt.	From whom, and on what account credited.	Date.	Number of chalan or order.	Amount.	Initials of Treasury Officer.	Monthly consecutive number of item of payment.	Date.	Number of cheque or order.	Amount.	Initials of Treasury Officer.
1	2	3	4	5	6	7	8	9	10	11
				Rs. A. P.					Rs. A. P.	

Form No. Cant. 7-B. (Rule 31.)  
(To be printed on bank paper.)

Cheque Book.

Cheque Book No.	
Cheque No.	
Dated	
To	
Ra.	
Under Rs.	

Executive Officer.  
President, Cantonment Board.  
or  
Commanding Officer of the Cantonment.

Cantonment Fund Cheque.

Cheque Book No.		Dated	19 .
Cheque No.			
To the Officer in Charge of the Treasury at Bank			
Pay to		or order the sum of	
and charge to the			
Ra.			Cantonment Fund.
Under Rs.			

Executive Officer.  
President, Cantonment Board.  
or  
Commanding Officer of the Cantonment.  
This cheque is current for three months only from the date of issue.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 617  
under Acts locally applied.)

Form No. Cant. 8-B. (Rule 36).  
(To be printed on open foolscap.)

General Cash Book.															Expenditure	
Receipts					REMITTANCE TO TREASURY.											
Month and date.	Head and item of receipts.	Particulars of receipts and from whom received.	Serial number of receipt of chalan.	Amount.	Total.	Number and date of chalan.	Amount.	Month and date.	Head and item of charges.	Particulars of charges and to whom paid.	Number of cheque.	Serial number of disbursement voucher.	Amount.	Total.	Cash balance at Treasury by debit column 6 and subtracting column 14.	Cash balance in imprest
1	2	3	4	5	6		7	8	9	10	11	12	13	14	15	16
				Rs. A. P.	Rs. A. P.		Rs. A. P.						Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.

**(To be printed on open foolscap or demy.)**

**Classified Abstract.**

Major Head

### Minor Head

### Sub-Head

**Budget Provision Rs.**

[illegible]

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 619  
under Acts locally applied.)

Form No. Cant. 10-B. [Rule 39 (2)].

(To be printed on foolscap breadthwise.)

Cantonment.

Transfer entries for the month of

19

Amount.	TRANSFERRED FROM		TRANSFERRED TO		Amount.	Grounds for transfer.	Initials of Executive Officer and date.
	Major head.	Minor head and sub-head.	Major head.	Minor head and sub-head.			
Rs. A. P.					Rs. A. P.		

Cantonment.

Form No. Cant. II-B. (Rule 42).

(To be printed on open foolscap.)

Register of Advances  
Deposits.

1	2	3	4	5	6	REPAYMENT IN CASH OR ADJUSTMENTS IN												20	21	22	
Month and date.	Name of party.	Particulars of advance or deposit.	Voucher or receipt number.	Amount.	Monthly total.	7	8	9	10	11	12	13	14	15	16	17	18	19	Date of repayment or number of voucher of adjustment.	Balance remaining undeposited at end of year.	Remarks.
				Rs. A. P.	Rs. A. P.	April.	May.	June.	July.	August	September.	October.	November.	December.	January.	February.	March.	Total repayments.		Rs. A. P.	



Form No. Cant. 13-B, [Rule 44 (1)].

(To be printed on open foolscap.)

Cantonment.

Scale Register.

Name of appointment.	SANCTIONED SCALE FROM 19 .			SANCTIONED SCALE FROM 19 .			SANCTIONED SCALE FROM 19 .			REMARKS.
	No.	Monthly pay of each appointment (a).	Authority, and signature of Executive Officer.	No.	Monthly pay of each appointment (a).	Authority, and signature of Executive Officer.	No.	Monthly pay of each appointment (a).	Authority, and signature of Executive Officer.	
1. General administration										
Total (1) General administration.										

(a) If the pay of any appointment is progressive, the minimum and the maximum pay, the period and the rate of increment should be given in this column in each case.



**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 623  
under Acts locally applied.)**

Form No. Cant. 14-B, [Rule 46 (1)].

(To be kept in manuscript.)

**Statement of Proposition for Revision of establishment of**

Cantonment.

ORDER SIGNIFYING PRESENT ESTABLISH- MENT.		Number.	Date.	Office to which the proposition refers.	NATURE OF CHARGE.										PROPOSITION.						No. and date of Board's resolution.										
					PRESENT SCALE.					PROPOSED SCALE.					PERMANENT.		TEMPORARY.														
		Number.	Designation.	Minimum.	Increment.	Maximum.	Average cost.	Pay.					Designation.	Number.	Minimum.	Increment.	Maximum.	Average cost.	Amount.	Increase per month.	Period.	Amount.	Increase per month.	Period.	Amount.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23									

Executive Officer.

Dated

President, Cantonment Board,  
or  
Commanding Officer of the Cantonment.

Dated

624 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders under Acts locally applied.)

Form No. Cant. 15-B. [Rule 48 (2)].

(To be printed on open foolscap, on loose sheets, form to be continued and the certificates, etc., printed on reverse.)

Pay Bill and Acquittance Roll of the Permanent Establishment of the 19 for the month of 19 .

1	2	3	4	5	6	7	8	9	DEDUCTION		12	13	14	15
									Income-tax	Provident Fund subscription				
Name of incumbent.	Name of post.	Substantive pay (Personal pay or special allowance or compensatory allowance if any, should also be shown in this column as a separate entry below substantive pay)	Leave salary.	Officiating pay.	Total of columns 3-5	Pay, officiating pay or leave salary held over for future payment.	Recoveries and fines	Net charge for each section	Total		Rs A. P.	Rs A. P.	Rs A. P.	REMARKS.
		Rs A. P.	Rs A. P.	Rs A. P.	Rs A. P.	Rs A. P.	Rs A. P.	Rs A. P.	Rs A. P.	Rs A. P.	Rs A. P.	Rs A. P.	Rs A. P.	

Deduct undischursed pay refunded as detailed below

Paid by—

Cheque No. .... dated . . . . . in favour of . .

Add on account of provident fund contributions

Cheque No. .... dated . . . . . in favour of . . . . .

Net sum required for payment

Certified—

(1) That I have satisfied myself that all pay, leave salary and officiating pay, etc., included in bills drawn in the month of 19 (the last preceding month, with the exception of those detailed below (of which the total has been refunded by deduction from this bill), have been disbursed to the proper persons and that their receipts have been taken in acquittance rolls filed in my office with receipt stamps duly cancelled for every payment in excess of Rs. 20, and that all leave and promotions, etc., have been entered in the service books of the officials concerned

(2) That the bill has been checked with the sanctioned scale recorded in the scale register

(3) That all persons or pay not exceeding Rs. 15 for whom pay has been drawn in this bill, have actually been entertained during the month

Dated 19 }

Pay Rs.

Examined and entered.

Accountant.

President, or Executive Officer.

Executive Officer.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 626  
under Acts locally applied.)

Details of Pay of Absentees Refunded.

Establishment.	Name.	Period.	Amount.

**Form No. Cont. 16-B. (Rule 54).**

(To be printed on open foolscap.)

### Provident Fund Ledger.

Account of Provident Fund transactions of the Cantonment of  
for the month of  
19 .

[illegible]

**Form No. Cant. 17-B. (Rule 54).  
(To be printed on open foolscap.)**

[illegible]

Form No. Cant. 18-B. [Rule 57 (1)].

**Contonment.**

(To be printed on  $\frac{1}{2}$  sheet, foolscap; breadthwise on loose sheets, form to be continued and the certificate printed on the reverse.)

### Contingent Bill.

Voucher No.

for

19 .

No. of Sub-Voucher.	Description of charge, and quotation of authority (where special sanction is necessary).	Amount.
		Rs.      A.      P.
	<p>Total in words (                      ) Total .</p>	

I certify that the above charges have been really paid to the proper payees, and that sub-vouchers have been so cancelled that they cannot again be used.

**Signature.**

Dated 19 .

**Designation.**

Pay (Rs. )

Rupees.

**Executive Officer.**

Dated

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 629  
under Acts locally applied.)**

Form No. Cant. 19-B. (Rule 58).

(To be printed on foolscap breadthwise.)

**Register of Permanent Advance.**

1 Sanctioning order.	2 (Officer for whom sanctioned.	3 Amount.	4 Date of drawing.	5 Date of refund.	AMOUNT OUTSTANDING ON 31st MARCH WITH DATE OF RECEIPT'S ACKNOWLEDGMENT.								14 REMARKS.
					YEAR, 19 -19 .	YEAR, 19 -19 .	YEAR, 19 -19 .	YEAR, 19 -19 .	YEAR, 19 -19 .	YEAR, 19 -19 .	YEAR, 19 -19 .	YEAR, 19 -19 .	
					Amount.	Date of receipt of acknowledgment.	Amount.	Date of receipt of acknowledgment.	Amount.	Date of receipt of acknowledgment.	Amount.	Date of receipt of acknowledgment.	
		Rs. A. P.			6	7	8	9	10	11	12	13	
		Rs. A. P.					Rs. A. P.		Rs. A. P.		Rs. A. P.		

[illegible]



ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 631  
under Acts locally applied.)

Form No. Cant. 21-B. (Rule 63).

(To be printed on foolscap breadthwise.)

## Register of works.

Serial number.	Name of work.	Sanctioned estimate.	Orders sanctioning the estimate.	Agency doing the work.	Order sanctioning the agency or contract	Amount paid.		Date of completion	REMARKS.
						No and date of payment voucher,	Amount.		
1	2	3	4	5	6	7		8	9
							Rs. A. P.		

NOTE.—Incomplete works should be carried over to the next year's account with the total of expenditure up to the end of the present year.

**NOTE**—A few lines for less than half a page should ordinarily suffice for each work.





(To be printed on open foolscap.)

## Register of Immoveable Property.

Serial number.	Description and situation of property.	Purpose for which utilised.	Valuation.	Initials of Executive Officer.	REVALUATION.				Initials of Executive Officer.	Remarks.
					Date.	Additions.	Deductions.	Total.		
1	2	3	4	5	6	7	8	9	10	11

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 635  
under Acts locally applied.)

**Form No. Cant. 25-B. (Rule 71).**

**(To be printed on open foolscap.)**

[illegible]

Form No Cant. 28-B. [Rule 72 (1).]

(To be printed on foolscap.)

Stock Book.

Name of Article.

Balance.	RECEIVED.			ISSUED.			Balance.	Remarks.
	Date.	Voucher No. and date.	No. or quantity.	Total.	Date.	On what account.	No. or quantity.	
1	2	3	4	5	6	7	8	10



Form No. Cant. 28-B (Rule 77)

(To be printed on foolscap breadthwise.)

## Register of Investments.

	1	Serial number.
	2	Date of investment, i.e., purchase of security or the date of deposit, etc., as the case may be.
	3	Particulars of investment and in case of Government securities number and date of paper.
	4	Amount (face value).
	5	Rate of interest.
	6	Initials of the Executive Officer.
	7	Date of recovery of interest and adjustment in accounts.
	8	Amount of interest recovered and adjusted in accounts
	9	Initials of the Executive Officer.

NOTE (1).—Where any sum is withdrawn from investment or any Government promissory note is sold the particulars of withdrawal or sale, as the case may be, should be noted in red ink across columns 1-3 of this register and its face value deducted from the total in column 4 and the balance of the investment entered. If no balance remains "account closed" shall be written across the page.

NOTE (2).—Investments from provident fund should be recorded on separate pages and distinctly marked as such.



**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(VIII.—Orders 639  
under Acts locally applied.)**

**Security Deposit Register.**

Serial Number.	Number and date of order under which deposited.	Date of deposit.	Name of depositor.	Purpose of deposit.	Amount.	Initial of the Executive Officer.	Number and date of order sanctioning return or lapse of deposit.	Date of return or lapse.	Name of payee.	Amount.	Balance.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13
					Rs. A. P.					Rs. A. P.	Rs. A. P.	

Form No. Cant. 29-B. [Rule 78 (1)].

(To be printed on open foolscap.)

Form No. Cant. 30-B. (Rule 81).

(To be printed on foolscap breadthwise.)

### Stamp Register.

Date.	STOCK.			EXPENDITURE.				BALANCE.	REMARKS.
	Value of stamps in hand at the commencement of the day.	Value of stamps received during the day.	Total stock.	Name and address of officer to whom cover was sent.	Contents of cover (number of letter, etc.)	Value of stamps affixed.	Total value of stamps expended during the day.	Value of stamps in hand at the close of the day.	
1	2	3	4	5	6	7	8	9	10
	Rs. A P.	Rs. A P.	Rs. A. P.			Rs. A. P.	Rs. A P.	Rs. A. P.	





IX.—Orders under Local Laws.

HYDERABAD RESIDENCY BAZARS REGULATION, 1895.

*Second Assistant Resident<sup>1</sup> appointed Superintendent, Residency Bazzars.*

*No. 59-J., dated the 15th June, 1912.*—With reference to section 2, clause (ix) of the Regulation for the better administration of the Hyderabad Residency Bazzars, 1895<sup>2</sup>, as amended by the notification of the Government of India in the Foreign Department, No. 989-I. B., dated the 2nd May, 1912, the Resident is pleased to appoint the Second Assistant Resident,<sup>1</sup> for the time being, to hold charge of the said Residency Bazzars.

[*Hyderabad Residency Orders, 1912, Pt. I, p. 48.*]

*Imposition of a tax on buildings and lands, scavenging tax and water tax.*

*No. 42-J., dated the 26th May, 1913.*—In exercise of the powers conferred on him by sections 22 (i) (a), 23 and 24 of the Regulation for the better administration of the Hyderabad Residency Bazzars<sup>2</sup>, published under the notification of the Government of India in the Foreign Department, No. 3001-I., dated the 10th September, 1895, the Resident is pleased to direct that the following taxes shall be levied in the Hyderabad Residency Bazzars, with effect from the 1st October, 1913, in lieu of—

(1) the conservancy tax at 9 per cent. levied under the authority of the Hyderabad Residency Bazzars Local Fund Rules of 1884, and

(2) the water tax at 6 per cent. levied under the notice published on page 224 of Part II of the *Residency Orders* of the 1st November, 1888.

(A) *Tax on buildings and lands.*—<sup>3</sup>[7] per cent. on the annual value of buildings and lands.

Provided that the tax shall not be levied on lands duly registered as burial or burning grounds; on any building or land the property of the State; on any building used exclusively as a place of public worship; on a serai, dispensary, or hospital, which is maintained for the purpose of giving relief to indigent persons; or on a building used as a school,

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<sup>1</sup> Now designated Under Secretary to the Resident.

<sup>2</sup> Printed *supra*, p. 58.

<sup>3</sup> Substituted by Notification No. 85-J., dated the 11th August, 1916, *Hyderabad Residency Orders, 1916, Pt. I, p. 198.*

provided that such school is recognized by the local educational authorities and is not conducted for private profit.

(B) *Scavenging tax*.—[5½]<sup>1</sup> per cent. on the annual value of buildings and lands.

<sup>2</sup>[(C) *Water Tax*.—2½ per cent. on the annual value of all buildings and lands, and an additional tax of Rs. 6, 13-8-0, 24 or 96, *per annum* on such of the buildings or lands as have private water service pipes of half an inch, three quarters of an inch, one inch or two inches, as the case may be.]

Provided that—

(1) The maximum amount of assessment on any one house, shop or godown excluding the private water service tax shall not exceed Rs. <sup>3</sup>[12]; and

(2) The tax shall not be levied on any building or land the property of the State, or used exclusively for public worship or duly registered as burial or burning grounds.

The above taxes shall be paid by the owners of buildings or lands half-yearly in advance on the 1st April and the 1st October of each year.

[*Hyderabad Residency Orders*, 1913, Pt. I, p. 63.]

*Imposition of a tax on private vehicles in the Residency Bazars.*

No. 44-J., dated the 26th May, 1913.—In exercise of the power conferred on him by section 22 (i) (c) of the Regulation for the better administration of the Hyderabad Residency Bazars<sup>4</sup>, published under the notification of the Government of India in the Foreign Department, No. 3001-I., dated the 10th September, 1895, the Resident is pleased to impose in the Hyderabad Residency Bazars, with effect from the 1st October, 1913, a tax on private vehicles in accordance with the rates specified in the annexed schedule to be levied from all persons owning or having charge of the same, who are resident within the limits of the Hyderabad Residency Bazars: provided

(a) that any person who may have owned or had charge of any vehicle kept for use within the said area for a period exceeding 15 and not exceeding 30 consecutive days in any quarter shall be liable to only one-third of the tax for that quarter, and for any period of a quarter exceeding 30

<sup>1</sup> Substituted by Notification No. 15-A., dated the 1st March, 1922. *Hyderabad Residency Orders*, 1922, Pt. I, p. 61.

<sup>2</sup> Substituted by Notification No. 98-P., dated the 7th November 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 189.

<sup>3</sup> See footnote 3 on page 641.

<sup>4</sup> Printed *supra*, p. 58.

consecutive days shall be liable for the whole tax for that quarter;

(b) that no tax shall be leviable in respect of any vehicle which has been out of use for the whole of any quarter, if due notice is given by the owner in accordance with the rules for the assessment and recovery of this tax; and

(c) that nothing in this notification shall be deemed to apply to any vehicles belonging to the Government or vehicles kept for sale by *bonâ fide* dealers, and not used for any other purpose, or hackney carriages taxable under the Hackney Carriage Act, 1879 (XIV of 1879), as applied to the Hyderabad Residency Bazars.

2. For the purpose of this notification, the word "resident" includes any person who dwells or takes up his abode within the limits of the Hyderabad Residency Bazars for a period exceeding 15 days.

*Schedule.*

	Per quarter.
	Rs. A. P.
(1) Four-wheeled motor vehicles . . . . .	[6 0 0]
(2) '[Four-wheeled carriages and motor bicycles] . . . . .	2 8 0
(3) Two-wheeled carriages . . . . .	2 0 0
(4) Bicycles and Tricycles . . . . .	0 8 0

[*Hyderabad Residency Orders*, 1913, Pt. I, p. 65.]

*Imposition of a dog tax in the Residency Bazars.*

No. 57-J., dated the 1st June, 1910.—In exercise of the power conferred on him by clause (c) of sub-section (1) of section 22 of the Regulation for the better administration of the Hyderabad Residency Bazars<sup>2</sup>, published under the notification of the Government of India in the Foreign Department, No. 3001-I., dated the 10th September, 1895, the Resident is pleased to impose a tax of Halli Sicca rupee one per annum on every dog kept within the said Residency Bazars.

2. The tax shall come into force after the expiration of one month from the date of this notification.

[*Hyderabad Residency Orders*, 1910, Pt. I, p. 70.]

*Exemptions from payment of Vehicle taxes.*

No. 25-I. B., dated the 2nd January, 1919.—In exercise of the power conferred on him by section 26 (ii) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>2</sup>, the

<sup>1</sup> Substituted by Notification No. 81-J., dated the 11th October, 1927.  
*Hyderabad Residency Orders*, 1927, Pt. I, p. 174.

<sup>2</sup> Printed *supra*, p. 58.

Governor General in Council is pleased to exempt members of the Indian Defence Force from payment of the tax imposed by the Residency Orders Notification No. 44-J., dated the 26th May, 1913, in respect of motor cycles owned by them, subject to the following condition, *viz.*,

that the exemption shall apply to officers and soldiers of a motor cycle company, platoon or section; to other officers and soldiers whose motor cycles are certified by the Officer Commanding their Corps to be in good order and of actual service for the work of the Corps; and to one motor cycle only for each officer or soldier.

[*Gazette of India*, 1919, Pt. I, p. 3.]

No. 823-I. B., dated the 6th March, 1919.—In exercise of the power conferred by clause (ii) of section 26 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895,<sup>1</sup> the Governor General in Council is pleased to exempt the Overseer, Public Works Department, Hyderabad Division, for the time being, from the payment of vehicle tax imposed by the notification of the Resident at Hyderabad No. 44-J., dated the 26th May, 1913, in respect of the vehicle that may be owned by him for the performance of Government duty.

[*Gazette of India*, 1919, Pt. I, p. 587.]

*Rules for the assessment and recovery of tax on buildings and lands, scavenging tax and water tax.*

No. 43-J., dated the 26th May, 1913.—In exercise of the power conferred on him by section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars<sup>1</sup>, published under the notification of the Government of India in the Foreign Department, No. 3001-I., dated the 10th September, 1895, the Resident is pleased to make the following rules regarding the assessment and recovery of the taxes imposed by *Residency Orders* notification No. 42-J., dated the 26th May, 1913.

I. (1) The Residency Bazars Committee shall cause an assessment list of the buildings or lands on which any tax is imposed to be prepared containing—

- (a) the name of the street or division, if any, in which the property is situated,
- (b) the designation of the property either by name or by number sufficient for identification,
- (c) the name of the owner or occupier, if known,

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<sup>1</sup> Printed *supra*, p. 58.



- (d) the <sup>1</sup>[annual] rental on which the property is assessed, and  
(e) the amount of the tax assessed thereon.

(2) For the purpose of preparing the list the Residency Bazars Committee may require the owners or occupiers of the buildings or lands to furnish it with a return of the monthly rentals.

II. When the assessment list has been completed the Residency Bazars Committee shall give public notice thereof and of the place where the list or a copy thereof may be inspected, and every person claiming to be either owner or occupier of the property included in the list and any agent of such person shall be at liberty to inspect the list and to make extracts therefrom without charge.

III. (1) The Residency Bazars Committee shall at the time of the publication of such assessment list give public notice of a time, not less than one month thereafter, when it will proceed to revise the assessment, and in all cases in which any property is for the first time assessed, or the assessment thereof is increased, it shall also give notice thereof to the owner or occupier of the property.

(2) All objections to the assessment shall be made in writing before the time fixed in the notice or orally or in writing at that time.

IV. (1) After the objections have been enquired into and the persons making them have been allowed an opportunity of being heard either in person or by authorized agent, as they may think fit, and the revision of the assessment has been completed, the amendments made in the list shall be authenticated by the signature of the Superintendent of the Residency Bazars, who shall at the same time certify that no valid objection has been made to the assessment contained in the list except in the cases in which amendments have been entered therein, and subject to such amendments as may thereafter be duly made, the tax so assessed shall be deemed to be the tax for the year commencing on the 1st day of April next ensuing, or from the beginning of the half-year next following that in which any alteration shall have been made under this rule or rule V.

(2) The list when amended under this rule shall be deposited in the office of the Residency Bazars Committee and shall there be open during office hours to all owners or occupiers of buildings or lands comprised therein, or the agents of such persons and a public notice that it is so open shall forthwith be published.

V. (1) The Residency Bazars Committee may at any time amend the list by inserting the name of any person whose name ought to have been inserted or by inserting any property which ought to have been inserted,

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<sup>1</sup> Substituted by Notification No. 30-J., dated the 30th March, 1914. *Hyderabad Residency Orders*, 1914, Pt. I, p. 20.

or by altering the assessment on any property which has been erroneously assessed through fraud, accident or mistake, after giving due notice to any person interested in the amendment, of a time, not less than one month from the date of service of such notice, at which the amendment is to be made.

(2) Any person interested in any such amendment may tender his objection to the Residency Bazars Committee in writing before the time fixed in the notice or orally or in writing at that time, and shall be allowed an opportunity of being heard in support of the same in person or by authorized agent as he may think fit.

VI. It shall be in the discretion of the Residency Bazars Committee to prepare a new assessment list every year or to adopt the assessment contained in the list for any year with such alterations as may in particular cases be deemed necessary as the assessment of the year following, giving the same notice of the assessment as if a new list had been prepared.

VII. As heretofore the amount payable will become due on the first of the first month of the period for which it is payable, and it will be optional for any person voluntarily to pay in the sum due from him within 15 days at the office of the Residency Bazars Committee.

VIII. At any time after the expiry of the 15 days mentioned in the preceding rule the Superintendent of the Residency Bazars may issue demand notices, demanding the amount due. These notices will specify the amount of each tax due, and will be served by the Bill Collectors, on the owner if present, otherwise on some male member of his household and, failing that, by affixture to his property. It will be optional to the person on whom the notice is served to make payment at once to the Bill Collector, or to tender payment at the office of the Residency Bazars Committee. The period allowed for payment will be 15 days, and persons failing to pay within that time will render their property liable to attachment and sale.

IX. The attention of the public is particularly drawn to the fact that the Bill Collector will make only one personal demand before attachment, *viz.*, on presentation of the demand notice, and persons desirous of making payments at any other time must do so at the office of the Residency Bazars Committee itself.

X. (1) When any building has remained unoccupied and unproductive of rent for any period of not less than 60 consecutive days such building shall be exempt from payment of so much of the said taxes or instalments as is proportionate to the number of days during which such building has not been occupied or productive of rent.

Provided that the owner of such property has given to the Committee notice in writing of the vacancy of the said building within the first 14 days of the period, in respect of which exemption is claimed, and that the application for refund is made within six months from the date on which such notice is delivered at the office of the Committee.

(2) The burden of proving the facts entitling any person to claim relief under this notification shall lie upon that person.

(3) Neither the presence of a care-taker, nor the mere retention in an otherwise unoccupied dwelling-house of the furniture habitually used in it, shall constitute occupation of the house.

(4) A building shall be deemed to be productive of rent if let to a tenant who has a continuing right to occupy such building, whether it is actually occupied by such tenant or not.

(5) In the case of the water tax, where application by the owner for the private connection to be cut off has not been made, the house will be considered as occupied and the tax recoverable from owner.

[*Hyderabad Residency Orders*, 1913, Pt. I, p. 63.]

*Rules for the assessment and recovery of the private vehicles tax.*

No. 45-J., dated the 26th May, 1913.—In exercise of the power conferred on him by section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars<sup>1</sup>, published under the notification of the Government of India in the Foreign Department, No. 3001-I., dated the 10th September, 1895, the Resident is pleased to frame the following rules for the assessment and recovery of the private vehicles tax imposed by notification No. 44-J., dated the 26th May, 1913:—

*Rules for the assessment and recovery of the tax on vehicles in the Hyderabad Residency Bazars.*

ASSESSMENT.

1. The Superintendent of the Residency Bazars shall cause to be prepared once a year in a book to be provided by him for this purpose, a list of the persons liable to the said tax, showing in distinct columns—

- (a) the names and residences of such persons,
- (b) the description of vehicles in respect of which they are liable to the tax,
- (c) the amount of tax for which each person is assessed for each quarter of the year, and

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<sup>1</sup> Printed *supra*, p. 58.

- (d) the amount of the said tax, if any, or remitted in each quarter under clauses (a) or (b) of notification No. 44-J., dated the 26th May, 1913.

The said book shall be kept at the office of the Superintendent and shall be open to the inspection of any respectable resident of the Bazars.

2. To enable the Superintendent to have such list prepared, he shall send to every person supposed to be liable to the payment of the tax, a schedule to be filled up by such person with such information respecting the vehicles owned by him, or in his charge, as the Superintendent thinks necessary for the assessment of the tax, and to return it, under his signature or mark, within one week from the receipt thereof.

Every person to whom any such schedule is sent shall be bound to fill up and return the same as so required, whether he be liable to be assessed to the tax or not.

3. (1) The person who keeps any vehicle for use whether he be the owner thereof or hires it or has the loan of it or has charge of it in any other capacity, shall be deemed to be the person liable to be assessed to the tax.

(2) If one and the same vehicle be so kept for use in any quarter by two or more different persons each person, who so keeps the vehicle for more than 15 days, shall be assessed to the tax.

Provided, first, that, if a vehicle is kept for use by several different persons, other than the owner thereof, consecutively, in one quarter, and all or some of such persons are not liable to the tax owing to their not keeping the vehicle for more than 15 days each, the owner of the said vehicle shall, if resident within the Bazars, be assessed to the quarter's tax or to the portion of the quarter's tax not recoverable from any of the said persons, as the case may be:

Provided, second, that the aggregate of the sums recovered from any two or more persons for any one quarter in respect of any one vehicle shall not exceed the full amount of the tax leviable for that quarter in respect of such vehicle..

4. Every person who becomes possessed of any vehicle in respect of which he is liable for the first time to pay the tax aforesaid shall be bound, within 15 days of his becoming possessed of the same, to give notice thereof in writing to the Superintendent.

5. Every person who claims, under clause (a) or (b) of notification No. 44-J., dated the 26th May, 1913, to be exempt from two-thirds or from the whole of the said tax in respect of any vehicle kept by him during any quarter shall forward by post to the Superintendent or leave at his office, not later than the last day of such quarter, a notice

in writing under his signature or mark setting forth the facts on which such claim is based.

6. The Superintendent, or any person authorised by him in this behalf may—

- (a) at any time between 7 A.M. and 5 P.M. enter and inspect any stable or coach houses, or any place in which he may have reason to believe there is any vehicle in respect whereof the aforesaid tax is leviable;
- (b) summon any person whom he has reason to believe to be liable to the said tax, or any servant of such person and to examine such person or servant as to the liability of such person to the tax, and as to the number and description of the vehicle, if any, in respect of which such person is so liable.

#### COLLECTION.

7. The said tax shall be payable for each of the following four quarters of every year, *viz.* :—

- (1) 1st January to 31st March;
- (2) 1st April to 30th June;
- (3) 1st July to 30th September;
- (4) 1st October to 31st December.

<sup>1</sup>[It shall be payable in advance on the first day of the quarter for which it is due.]

8. When any tax becomes due, the Superintendent shall, with the least practicable delay, cause to be presented to the person liable to pay it a bill for the sum due. The bill shall specify the quarter or portion of the quarter and the vehicles in respect of which the tax is charged, and the name of the person from whom it is claimed, and shall contain a notice that the amount of the bill must be paid into the office of the Residency Bazaars Committee within 15 days from the date of the presentation of the said bill.

9. Complaints against the assessment of any tax under these rules, or the amount thereof, may be made to the Superintendent by application in writing forwarded by post or left at his office, at any time within 7 days from the date of the presentation of the bill for such tax; and upon hearing such complaint the Superintendent may make such amendments, if any, in the book kept under rule 2 and in the bill as he may think proper, and, if he thinks that the complainant is not liable to the tax, he shall cancel the bill.

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<sup>1</sup> Substituted by Notification No. 90-J., dated the 30th March, 1914. *Hyderabad Residency Orders*, 1914, Pt. I, p. 20.

10. If any bill, which is not cancelled under the last preceding rule, is not paid by the person from whom payment is claimed or on his behalf, within 15 days from the presentation thereof, the Superintendent may cause to be served upon the defaulter a notice of demand and if he does not within one month from the service of such notice of demand pay the sum due, or show sufficient cause for non-payment of it, to the satisfaction of the Superintendent, and if no appeal has been preferred and the amount of the tax has not been deposited, such sum, with all costs, may be levied by order of the Superintendent by distress and sale of the goods and chattels of the defaulter.

11. The goods and chattels of any person, from whom any tax is due, may be distrained wherever they may be found, for default in the payment of the money due from such person.

12. The officer charged with the execution of a warrant of distress shall make an inventory of the goods and chattels seized under any such warrant, and shall at the same time give a notice in writing to the person in possession thereof at the time of the seizure that the said goods and chattels will be sold as therein mentioned.

13. If the warrant is not in the meantime discharged or suspended by the Superintendent, the goods and chattels seized shall be sold under the orders of the Superintendent who shall apply the proceeds, or such part thereof as may be necessary, in discharge of the tax and of the costs payable by the defaulter and the surplus, if any, shall be returned on demand to the person in possession of the goods and chattels at the time of the seizure.

14. Instead of proceeding by distress and sale, or in case of failure to realize by distress the whole or any part of the sum due by a defaulter, the Superintendent may sue the defaulter in any court of competent jurisdiction.

15. The fees payable for notices of demand and upon distraint under these rules shall be fixed by the Residency Bazars Committee, and they are recoverable from the defaulter as costs in addition to the amount of the tax.

[*Hyderabad Residency Orders*, 1913, Pt. I, p. 65.]

*Rules for the assessment and recovery of the dog-tax in the Residency Bazars.*

No. 65-J., dated the 29th June, 1910.—In exercise of the powers conferred upon him by section 101 (i), (c) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to make the following rules for the assessment and

<sup>1</sup> Printed *supra*, p. 53.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 651  
under Local Laws.)

recovery of the dog-tax leviable under *Residency Orders*, notification<sup>1</sup> 57-J., dated the 1st June, 1910:—

RULES.

1. The dog-tax shall be payable by the persons liable for the same, either in person or by agent, yearly in advance at the Local Fund Office on the 1st of April of each year following that in which the tax is first leviable.

2. The tax shall be recoverable in the manner prescribed for the recovery of taxes from time to time in force in the Residency Bazars.

3. For all sums paid on account of tax a receipt shall be given by the Chairman, Local Fund Committee, or other officer appointed in this behalf.

4. A register shall be maintained in Local Fund Office containing particulars of the owner's name and address and serial numbers of the metal tallies described in rule 5.

5. At the time of the first payment of the tax owners will receive, free of charge, a metal tally bearing a number, which they are advised, in the interest of the animal, which will otherwise be treated as ownerless, to attach to the collar of the dog registered.

6. In the case of the metal tally becoming lost or defaced a fresh one will be issued on payment of the actual cost.

7. If the dog for which tax is leviable dies or is otherwise disposed of, the owner shall give notice in writing and return the tally. An entry will be made in the register accordingly, but no tax already paid will be refunded.

8. Any person owning or having charge of a dog for which the charge is payable and who has not paid the said tax and obtained a license in the manner prescribed shall be punishable with fine not exceeding fifty rupees.

[*Hyderabad Residency Orders*, 1910, Pt. I, p. 78.]

*Rules for the assessment and recovery of the latrine tax in the  
Residency Bazars.*

No. 11-A., dated the 3rd May, 1894.—The following rules<sup>2</sup> framed by the Residency Bazars Local Fund Committee under clauses (b) and

<sup>1</sup> Printed *supra*, p. 643.

<sup>2</sup> These rules, made under the Hyderabad Residency Bazars Local Fund Rules, 1894, are kept in force by clause (iv) of section 1 of the Hyderabad Residency Bazars Regulation, 1895, printed *supra*, p. 63.

(a) of section 12 of the Local Fund Rules were on the 3rd May, 1894, confirmed by the Resident under section 13:—

1. A “private latrine” in these Rules means a place in private premises which is habitually used for the purpose of obeying the calls of nature.

*Exception.*—The definition does not include places for necessary purposes in European bungalows.

2. The word latrine used hereinafter in these Rules means and includes more than one latrine.

3. Every owner of an existing private latrine shall provide himself with a latrine license as hereinafter provided for.

4. No person shall construct or use a new private latrine without providing himself with a private latrine license.

5. The Committee shall prescribe a standard plan for private latrines, and no new private latrine shall be licensed unless it is constructed in accordance with this plan. The Committee may license any existing private latrine which appears to them of suitable designation though not built on the standard plan.

6. The latrine license shall be in a form prescribed by the Committee, and no fee or duty shall be charged for the same. The Committee may by notice direct any private latrine to be closed forthwith for which a license has not been taken out within 30 days from the final promulgation of these Rules or for which the Committee have refused to grant a license.

7. It is open to the occupier of any premises either to make his own arrangements for the removal of the night-soil and sewage from his private latrine, provided that such arrangements are approved by the Committee, or to avail himself of the services of the scavenging agency maintained by the Committee.

8. The occupier of any premises who elects to make his own arrangements must collect and deposit at any depôts specified and provided by the Committee the night-soil and sewage from his private latrine at least once a day.

9. The Local Fund Committee shall provide a number of depôts in convenient centres for the temporary deposit of night-soil and sewage from private latrines before their removal by the conservancy establishment to the night-soil pits situate out of the Residency Bazaars.

10. If the occupier of any premises containing a licensed private latrine, for the removal of night-soil and sewage from which the agency provided by the Committee has not been availed of, neglects or fails to keep it clean, or if the private scavengers, if any, employed fail to properly deposit the night-soil and sewage at the depôts provided by



the Committee, the Committee may issue a notice requiring him, within seven days from the date of the notice, either to close the said latrine or to accept and pay for the services of the scavenging agency provided by the Committee for the purpose.

11. Every occupier of premises containing a private latrine served by the scavenging agency maintained by the Committee shall pay quarterly, *i.e.*, on the 1st day of January, April, July, and October, and in advance, the scavenging fee which is fixed as follows:—

		Per annum.
		Rs. A. P.
On premises taxed for the conservancy tax		
on a monthly rental exceeding Rs. 50 . . . . .		36 0 0
Do. Rs 25 up to Rs 50 . . . . .		24 0 0
Do. Rs 12 up to Rs. 25 . . . . .		18 0 0
Do. Rs 6 up to Rs. 12 . . . . .		5 0 0
Do. Re. 1 up to Rs. 6 . . . . .		3 0 0
Below Re. 1 . . . . .		0 8 0

12. Europeans or persons who live in European fashion are allowed the same option of employing private sweepers or of accepting the Committee's agency.

13. The Committee may, at its discretion, compound with the owner or occupier of any premises used as a factory, workshop, cooly depôt, hospital, market, and other similar places where latrines are of a quasi-public nature for a certain sum to be paid in lieu of the scavenging fee, or may levy a rate per head to be fixed by the Committee on the probable number of persons living within or habitually resorting to any such place.

14. The Committee shall keep a register of premises served by its scavenging establishment for the purposes of the scavenging fee.

15. When the Committee has undertaken the scavenging and cleansing of any private latrine by its agents, the persons employed by it to perform the same may enter the premises at all reasonable times so far as may be necessary for the proper discharge of those duties; and the Committee, by any person authorized by it on its behalf, may enter on the premises at all reasonable times for the purpose of ascertaining that such duties have been duly performed.

16. It shall also be lawful to the Committee or any of its agents to enter upon any premises, after reasonable notice to the occupier of the same, to inspect any private latrine not served by the Committee's agency and see that the same is kept in proper order.

17. Whoever, without the permission of the Committee or in disregard of its orders, throws or deposits, or permits his servants or

members of his household under his control to throw or deposit, earth or materials of any description, or refuse, rubbish or offensive matter of any kind, upon any street or public place, or into any public sewer or drain or any drain communicating therewith, shall be punished with fine which may extend to twenty rupees.

18. Whoever, without the permission of the Committee, causes or allows the water of any sink, sewer or cesspool, or any other offensive matter, to flow, drain, or be put upon any street or public place, or into any sewer or drain not set apart for the purpose, shall be punished with fine which may extend to twenty rupees.

19. Whoever, being the owner or occupier of any building or land, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle any dirt, dung, bones, ashes, night-soil or filth or any noxious or offensive matter in or upon such building or land, or suffers any such receptacle to be in a filthy or noxious state or neglects to employ proper means to cleanse and purify the same, shall be punished with fine which may extend to fifty rupees.

20. Whoever disobeys any lawful directions given by the Committee by public notice under the powers conferred upon it by these Rules or any written notice lawfully issued by it under the powers so conferred, or fails to comply with the conditions subject to which any permission was given by the Committee to him under those powers, shall, if the disobedience or omission is not an offence punishable under any other of these Rules, be punished with fine which may extend to fifty rupees, and, in the case of a continuing breach, with a further fine which may extend to five rupees for every day after the first during which the breach continues.

Provided that when the notice fixes a time within which a certain act is to be done and no time is specified in these rules, it shall rest with the Magistrate to determine whether the time so fixed was a reasonable time within the meaning of these Rules.

[*Hyderabad Residency Orders*, 1894, Pt. I, p. 110.]

### *Residency Bazars Fund Rules.*

No. 89-A., dated the 16th October, 1912.—In exercise of the powers conferred by section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, published in the notification of the Government of India in the Foreign Department, No. 3001-I., dated the 10th September, 1895, the Resident at Hyderabad is pleased to make the following rules regarding the administration of the

<sup>1</sup> Printed *supra*, p. 58.

Hyderabad Residency. Bazars Fund and to direct that they shall come into force in the Hyderabad Residency Bazars with effect from the date of this notification:—

RESIDENCY BAZARS FUND RULES.

1. *Application of the Residency Bazars Fund.*—(1) The Residency Bazars Fund may be applied to the following purposes within the Residency Bazars namely:—

- (a) the payment of any expenses directed by or under any enactment for the time being in force to be debited to the fund;
- (b) the provision and maintenance of an office for the Residency Bazars Committee;
- (c) the payment of the salaries of all Residency Bazars establishments;
- (d) the pay and contribution towards pension of a portion of the Resident's office establishment;
- (e) the payment of any expenses ordered by the Resident to be debited to the Fund;
- (f) the survey of buildings and lands;
- (g) the management and improvement of lands and other property placed by the Government under the management of the Residency Bazars Committee, including—
  - (i) the construction and maintenance of roads (other than those maintained from Imperial Funds);
  - (ii) the lighting, watering, and cleansing of roads; and
  - (iii) the maintenance of public parks and gardens and the planting and tending of trees;
- (h) the provision and maintenance or aiding of public hospitals and dispensaries;
- (i) the provision and maintenance of public markets and slaughter-houses;
- (j) the carrying out of a proper system of conservancy throughout the Residency Bazars for all the inhabitants including—
  - (i) the pay of the public conservancy establishment;
  - (ii) the construction of public latrines and other conservancy works;
  - (iii) the purchase of all necessary conservancy carts, utensils, and other appliances;

- (k) the execution and management of proper systems of water-supply and drainage and of other sanitary measures, including public vaccination and the prevention of the spread of infectious or contagious disorders, and generally the maintenance of the Residency Bazars in a thoroughly sanitary condition;
- (l) the burial, burning or other lawful disposal of the corpses of paupers and unknown persons;
- (m) the abatement of nuisances;
- (n) the taking of a census;
- (o) generally, the payment of all expenses incurred—
  - (i) under any rules made under section 101 of the Hyderabad Residency Bazars Regulation, 1895;
  - (ii) under any enactment extended to the Residency Bazars under section 103 of the Hyderabad Residency Bazars Regulation, 1895;
  - (iii) under any other law for the time being in force;
- (p) the maintenance of a police force;
- (q) grants-in-aid for education, etc.; and
- (r) the grant of pensions and gratuities.

(2) The Residency Bazars Fund may, with the general or special sanction of the Resident, be applied to any of the purposes mentioned or referred to in clauses (a) to (r), both inclusive, of this rule beyond the limits of the Residency Bazars in any case in which, in the opinion of the Resident, the application of the fund beyond those limits is expedient.

#### *Estimates and Sanctions.*

2. *Money not to be paid unless expenditure sanctioned.*—(i) No money shall be paid from the Residency Bazars Fund unless the expenditure is either—

- (a) provided for in the sanctioned budget estimate or by re-appropriation under rule 5, or
- (b) sanctioned by the Resident either on his own motion or on the recommendation of the Residency Bazars Committee,

and in the case of expenditure on public works, unless detailed estimates have been prepared and sanctioned.

(ii) Estimates for original works, repairs, tools and plant and live-stock will be sanctioned by the Residency Bazars Committee when they cost Rs. 200 or less.

(iii) Estimates costing more than Rs. 200 will be examined and countersigned by the Superintendent of Works, Hyderabad Division, and will be sanctioned by the Resident.

(iv) Estimates for important works will be executed by the Public Works Department and designs for them prepared by that department.

(v) The powers of sanction conveyed in the foregoing paragraphs are not to be exercised so as to lead to a work being sanctioned in portions on separate estimates, or to the purchase at different times and on separate estimates of articles which should have been included in one estimate.

(vi) Except in so far as is specially provided in these rules, the Government of India Public Works Department Code of General Regulations will apply to all Residency Bazars Public Works as far as may be practicable.

NOTE—(i) The Chairman may on behalf of the Committee enter into any contract whereof the value or amount does not exceed two hundred rupees.

(ii) A contract whereof the value or amount exceeds two hundred rupees shall not be executed until it has been sanctioned by the Committee at a meeting.

(iii) Every contract made by or on behalf of the Committee whereof the value or amount exceeds fifty rupees shall be in writing.

(iv) Every such contract shall be signed by the Chairman.

(v) If a contract to which this note applies is executed otherwise than in conformity therewith, it shall not be binding on the Committee.

3. *Responsibility for administering funds.*—The responsibility for administering the funds provided in the sanctioned budget estimate or sanctioned under rule 2, clause (b), shall rest with the Residency Bazars Committee.

4. *Submission and sanctioning of budget estimates.*—(1) On the 15th day of December in each year, or on such other date as the Resident may direct, the Residency Bazars Committee shall submit to the First Assistant<sup>1</sup> Resident, Hyderabad, in duplicate, budget estimates of the receipts (including the grant-in-aid, if any) into and expenditure from the Residency Bazars Fund for the ensuing financial year.

Such estimates shall be framed in accordance with form 8 in the schedule, or in such other form as may be from time to time prescribed by the Accountant-General, Madras, with the previous sanction of the Resident.

(2) The Resident may sanction such estimates with or without modification.

(3) The sanction of the Resident to such estimates shall be communicated—

(a) to the Residency Bazars Committee, and

(b) to the Accountant-General, Madras.

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<sup>1</sup> Now designated Secretary to the Resident.

5. *Re-appropriation.*—(a) The Residency Bazars Committee can transfer sums from one sub-head to another under the same major head. Transfer of grants from one major head to another can be effected only with the sanction of the Resident.

(b) Transfer of grants from one sub-head to another made by the Residency Bazars Committee shall be communicated once a month to the Accountant-General, Madras, through the First Assistant<sup>1</sup> Resident.

*Payment.*

6. *Examination of and order for payment of claims.*—(1) Every claim for payment from the Residency Bazars Fund must be presented to the Chairman, Residency Bazars Committee, or in his absence the Vice-Chairman.

(2) The Chairman or in his absence the Vice-Chairman must check and examine every such claim, and, if it be found correct and supported by a voucher duly receipted, and, if necessary, bearing a stamp, shall sign an order for payment thereof.

(3) If payment is to be made from the imprest, the order for payment shall be "Pay in cash rupees (*in words*);" if payment is to be made by cheque such order shall be "Pay by cheque No. , dated , rupees (*in words*)," the blanks being filled up when the cheque is signed.

7. *Payments how made.*—Payments must be made,—

(a) if the sum does not exceed twenty rupees, in cash, and

(b) if the sum exceeds twenty rupees, by cheque.

8. *Cheque.*—(1) Money may be drawn from the Residency Bazars Fund only by means of cheques written in form 4 in the schedule.

(2) No cheque shall be current for more than three months from the date on which it was drawn.

After the expiration of that period payment will be refused at the treasury, and the person in whose favour the cheque was drawn will therefore have to bring it back to be re-dated. No fresh cheque will be issued: the lapsed cheque will simply be re-dated and the alteration initialled by the Chairman or in his absence the Vice-Chairman of the Residency Bazars Committee. A note of the fact of re-dating shall be entered in the register of payments against the original transaction.

(3) All cheques must be signed by the Chairman or in his absence the Vice-Chairman of the Residency Bazars Committee.

(4) Cheques drawn in favour of a Government officer must be made payable to order, and cheques drawn in favour of any other person must be made payable to bearer.

<sup>1</sup> Now designated Secretary to the Resident.

(5) All cheque forms must be bound in books with counterfoils.

(6) Every such book must bear a number: and the Chairman of the Residency Bazars Committee or in his absence the Vice-Chairman must notify to the treasury the number of the book which he from time to time brings into use.

(7) On each cheque form there shall be printed the number of the book in which the form is contained and a consecutive number.

(8) There shall be noted on the outside of each cheque book an order that the Chairman of the Residency Bazars Committee shall keep the book under lock and key in his personal custody. When the officer holding the appointment of Chairman is relieved, he must take a receipt for the number of cheques made over to his successor, and must send to the treasury a specimen of his successor's signature.

9. *Imprest.*—(1) The Residency Bazars Committee shall, if it has not already done so, draw from the treasury a sum not exceeding one hundred and fifty rupees to form an imprest for the purpose of meeting petty payments.

(2) The amount of petty payments met out of the imprest must be recouped by cheque on the last day of each month, and, if necessary, during the month also, so that the full amount of the imprest *plus* any sum received too late for remittance to the treasury on the last day of the month will always be shown in the monthly accounts as being in the hands of the Residency Bazars Committee.

10. *Overdrafts.*—Overdrafts on the Residency Bazars Fund shall be allowed only if approved of and sanctioned by the Resident.

#### *Receipts.*

11. *Entry and acknowledgment of receipts.*—(1) All money received for credit to the Residency Bazars Fund must be entered in a register of receipts kept in form 1 in the schedule, and, with the exception of grants-in-aid and fines, must be acknowledged by receipts in form 2 in the schedule.

(2) Such receipts must bear printed numbers in a consecutive series, and the number of each receipt must be entered in the second column of the register of receipts.

12. *Responsibility of Residency Bazars Committee as to receipts.*—The Residency Bazars Committee shall be responsible for making such arrangements as will secure—

(1) that all money received for credit to the Residency Bazars Fund is duly brought to credit in the accounts;

(2) that all money so received, with the exception of grants-in-aid and fines, is acknowledged by receipts in form 2; and

(3) that whenever a receipt is given the foil and counterfoil are correctly filled up.

*Account of the Imprest.*

13. *Account of the imprest.*—An account of the imprest shall be kept in form 6 in the schedule, and the expenditure recorded in it must be entered in a register of payments kept in form 5 in the schedule, when a bill for the recoupment of the amount is made out, and the amount is drawn from the treasury by a cheque.

*Bills for Expenditure.*

14. *Expenditure to be entered in bills.*—(1) All expenditure must be entered in a bill of one of the following kinds, namely:—

(a) Establishment Pay Bill—for the pay of members of the Residency Bazars establishment.

(b) Travelling Allowance Bill—for travelling allowances of members of the Residency Bazars establishment; and

(c) Contingent Bill—for all charges other than pay and travelling allowances of members of the Residency Bazars establishment.

(2) Every Establishment Pay Bill must be prepared in Civil Account Code form.

(3) Every Travelling Allowance Bill must be prepared in Civil Account Code form.

(4) Every Contingent Bill must contain full details of the charges incurred.

NOTE 1.—Copies of Civil Account Code forms may be obtained on payment from the Residency Government Press.

NOTE 2.—\* \* \* \* \*

15. *Claims by contractors or tradesmen.*—(1) Claims for supplies or services by contractors or tradesmen must be paid on bills as presented by them.

(2) When such claims are paid by cheque, the payment must be entered at once in the register of payments (form 5), and when they are paid in cash the payment must be entered in the imprest register (form 6).

When the bills for supplies or services by contractors or tradesmen are in the vernacular, a brief abstract should be endorsed in English

<sup>1</sup> Deleted by Notification No. 93-A., dated the 29th August, 1916. *Hyderabad Residency Orders*, 1916, Pt. I, p. 227.



stating the amount, the name of the payee, and the nature of the payment.

16. *Petty charges to be met from the imprest.*—(1) All petty charges to be met from the imprest must be entered in bills prepared in Civil Account Code form.

(2) Such bills must be supported—

(a) in the case of all payments for telegrams and in the case of any other payment exceeding <sup>1</sup>[twenty-five] rupees, by the original vouchers on which the payments were actually made; and

(b) in other cases, by a certificate that the receipts of the payees have, as far as possible, been obtained, and have been so destroyed, defaced, or mutilated that they cannot be used again.

(3) The certificate referred to in clause (b) of this rule must be signed by the Chairman of the Residency Bazars Committee, or in his absence the Vice-Chairman.

17. *Charges incurred direct by Residency Bazars Committee.*—All charges incurred direct by the Residency Bazars Committee and paid by cheque must be entered in bills prepared in Civil Account Code form.

18. *Certificate on certain bills.*—The following certificate must be recorded at the foot of every such bill prepared in the Civil Account Code form, namely:—

“I certify that the expenditure charged in this bill could not, with due regard to the interests of the Residency Bazars, be avoided. I have satisfied myself that the charges entered in this bill have been really paid.”

This certificate must be signed by the Chairman of the Residency Bazars Committee or in his absence the Vice-Chairman.

In the case of expenditure on public works the usual completion certificate will be furnished.

#### *Entry of Cheques in Accounts.*

19. *Entry of payments by cheque.*—All payments made by cheque must be entered in the register of payments (form 5), the vouchers being numbered in a monthly consecutive series.

20. *Deduction of amount of cancelled cheques.*—If any cheque is cancelled, its amount must be deducted from the expenditure by a *minus* entry in the appropriate columns of the register of payments (form 5). The deduction will then pass into the cash book (form 7) through the daily total of payments carried into it.

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<sup>1</sup> Substituted by Notification No. 81-A., dated the 17th July, 1917. *Hyderabad Residency Orders*, 1917, Pt. I, p. 391.

*Accounts and Returns.*

21. *Cash Book.*—The Residency Bazars Committee shall keep a cash book in form 7 in the schedule. The cash book must be balanced monthly, and the balance shown in it must be reconciled with that shown in the pass book (form 3) as follows:—

Balance as per Pass Book . . . . .	
Add—	
Amount of imprest . . . . .	
Money received too late for remittance to treasury . . . . .	
	Total . . . . .
Deduct.—Outstanding cheques as per details below:—	
Blank as per Cash Book—	
Cheques outstanding on—	
No.      Date.      Amount.	
	Total . . . . .

22. *Entry of budget estimates in registers of receipts and payments.*—(1) In the registers of receipts and payments (forms 1 and 5) the amounts sanctioned in the budget estimate for the year must be entered at the top of columns for the heads for which separate estimates are made.

(2) If, during the year, or in any revised estimate that may be sanctioned for the year, any addition to or alteration in the estimates is made it must be noted in the appropriate register in red ink with *plus* or *minus* signs, the orders for the addition or alteration being cited.

23. *Totalling of registers of receipts and payments and watching of budget grants.*—(1) At the end of each month the figures in the registers of receipts and payments (forms 1 and 5) must be added up, the totals up to the end of the last preceding month being added to those of the month just expired, and grand totals being made from the 1st April last preceding.

(2) If the grand total under any head in the register of payments shows that the budget grant is likely to be exceeded, application must at once be made for orders under rule 2, clause (b), or rule 5, as the circumstances may require, to cover the excess.

24. *Audit of accounts.*—(1) The accounts of the Residency Bazars Fund will be audited locally by the staff of the Examiner, Local Fund Accounts, on behalf of the Accountant-General, Madras, every half-year. To facilitate audit, all vouchers, with all sub-vouchers above Rs. 10 attached to them, should be numbered in monthly series, and filed in separate files. These vouchers, all registers maintained in the office and all other documents required for the purposes of audit should be produced whenever called for by the Auditors, and any explanation

required by these officers for the settlement on the spot of objection raised should be furnished without delay.

(2) The Examiner of Local Fund Accounts will submit a report on the audit to the Accountant-General, who will forward copies thereof with his remarks to the Chairman, Residency Bazars Committee, and the Resident at Hyderabad for necessary action.

(3) The Examiner of Local Fund Accounts will inspect the Residency Bazars office, during his tour of inspection to ascertain if past audits by his staff have been properly conducted and to see if the accounts of the Fund have been kept according to the prescribed rules. He would also advise the Residency Bazars Committee on financial matters generally.

(4) All cases of fraud or embezzlement should at once be reported to the Accountant-General, Madras, for any action which he may deem fit to take.

(5) At the close of the financial year a consolidated account of receipts and payments classified under the several major and minor and sub-heads in form 8 should be prepared in duplicate from the registers of receipts and payments and forwarded to the Accountant-General, Madras.

#### *Classification.*

25. *Classification of receipts and expenditure.*—(1) All receipts into and expenditure from the Residency Bazars Fund shall be classified in the monthly and annual accounts in accordance with form 8 in the schedule.

(2) All expenditure must be classified in the monthly accounts under the appropriate major heads, minor heads, and sub-heads with reference to the nature of the charge, whether specific budget provision exist or not and no expenditure, which from its nature properly falls under one of the other prescribed heads, shall be classified under the head "Miscellaneous" on the ground that there is no specific budget provision for the charge.

#### *The Residency Bazars Fund.*

26. *Sums to be credited to Residency Bazars Fund.*—There shall be placed to the credit of the Residency Bazars Fund the following sums, namely—

- (a) all sums directed by section 37, sub-section (1), of the Residency Bazars Regulation, 1895, or by or under any other enactment for the time being in force, to be placed to the credit of the Fund,
- (b) all grants-in-aid and other sums received by the Residency Bazars Committee in aid of the fund,
- (c) proceeds from sale of stamps,

- (d) abkari farms rent,
- (e) registration fees,
- (f) general fees, fines, and forfeitures, and
- (g) miscellaneous.

*Remittance to Treasury and Pass Book.*

27. *All moneys to be remitted to treasury.*—The Residency Bazars Committee shall remit to the Hyderabad Residency Treasury all moneys received for credit to the Residency Bazars Fund.

28. *Procedure for remittances to treasury.*—(1) Remittances to the treasury should be made every day. All moneys in hand on the last working day of each month must be remitted on that day.

(2) All remittances must be accompanied by a chalan or invoice and by a pass book in form 3 in the schedule.

(3) Whenever a remittance is made, the Officer in charge of the Treasury must acknowledge the receipt of the money by entries in the pass book, and must enter on the charge side of the pass book particulars of cheques paid up to date as recorded in his register.

(4) The pass book must be sent to the treasury on the last working day of each month, whether or not there are any moneys to be remitted to the treasury on that day. The Officer in charge of the Treasury must then close the pass book for the month, and enter there in words the balance in hand and sign the entry.

29. *Supervision of pass book by Residency Bazars Committee.*—(1) The Residency Bazars Committee shall examine the pass book from time to time, and shall immediately call the attention of the Officer in charge of the Treasury to any discrepancy that may appear between the credits or debits shown therein and those shown in the Residency Bazars registers.

(2) The pass book shall be written up only by the Officer-in-charge of the Treasury or by some member of his establishment, and no entries or marks shall be made therein by the Residency Bazars Committee or by any member of the Residency Bazars establishment.

*Establishments.*

30. *Strength and cost of establishments.*—In determining or altering the strength or cost, or both, of any Residency Bazars establishments, the Residency Bazars Committee must obtain the previous approval of the Resident:

Provided that every alteration shall be subject to the provisions of rules 2 and 6.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 665  
under Local Laws.)

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31. *Security to be furnished by certain servants of Residency Bazars Committee.*—(1) The Chairman, Residency Bazars Committee, shall require every servant of the Residency Bazars Committee who is entrusted with the receipt, custody or control of moneys or securities for money to furnish security for the due discharge of his office to such amount as the Residency Bazars Committee may determine.

(2) No security shall be accepted other than a deposit of—

- (a) cash, or
- (b) Government securities, or
- (c) shares in the Bank of Bengal, the Bank of Madras, or the Bank of Bombay, or
- (d) debentures or other securities for money issued by or on behalf of a local authority.

32. *Procedure in dealing with moneys and securities deposited.*—The Chairman, Residency Bazars Committee, shall deal in the manner prescribed in the Civil Account Code with all moneys and securities deposited as security by or on behalf of servants of the Residency Bazars Committee or persons who have entered into contracts with the Residency Bazars Committee:—

Provided that no such moneys or securities as aforesaid shall be delivered up,—

- (a) if deposited by or on behalf of a servant of the Residency Bazars Committee, until after the lapse of such time after the death of, or the vacation of his office by, such servant as the Residency Bazars Committee may direct; or,
- (b) if deposited by or on behalf of a contractor, then, in the absence of any condition in the contract to the contrary, until after the lapse of such time after the completion of the contract to the satisfaction of the Residency Bazars Committee as that authority may direct.

## THE SCHEDULE.

**FORM 1.**

(See Rules 11, 12, 22 and 23.)

*Register of Receipts into the Residency Bazaars Fund.*

Date.	Number of counterfoil receipts.	From whom received.	Major Head.		Major Head		Total of each receipt.	Daily total carried to Cash Book.
			Minor heads and sub-heads.		Minor heads and sub-heads			
		Budget estimate . .						
		Total for the month .						
		Add total to end of last month . . .						
		Total from 1st April to date . . .						

**FORM 2.**

(See Rules 11, 12, and 24.)

*Receipt.*

(To be retained in Resi-  
dency Bazaars Com-  
mittee's Office.)

(To be given to the person from whom the money is received.)

No.

No.                      dated

**Dated**

Received from

Received from

on account of

on account of

**R**

R.

Signed

*Chairman, Residency Bazars Committee,  
Hyderabad,  
or in his absence the Vice-Chairman.*

**FORM 3.**

(See Rules 28 and 29.)

### PASS BOOK.

*The Hyderabad Residency Civil Treasury in account current with the  
Residency Bazar's Fund.*

CHEQUE BOOK No.

**Advised.**

Date.	Number of Chalan	Amount.	Initials of the Officer-in-charge of the Treasury.	Date.	No. of cheque.	Amount.	Initials of the Officer-in-charge of the Treasury.

FORM 4.

(See Rule 8.)

RESIDENCY BAZARS  
FUND CHEQUE.

ONE ANNA  
STAMP if the  
cheque is for  
an amount  
exceeding  
twenty  
rupees Govt.

Cheque Book No.

Cheque Book No.

Cheque No.

*Hyderabad,*

Cheque No.

*Dated*                      *19* .

Dated

To

To the Officer in charge of the Treasury  
at

R

Pay to

R , and charge to the  
Residency Bazars Fund.

Under  
R

(Signed)

*Chairman, Residency Bazars  
Committee,*

*or in his absence the Vice-Chairman.*

This cheque is current for three months only.



FORM 5.

(See Rules 13, 15, 19, 20, 22 and 23.)

*Register of Payments from the Residency Bazars Fund.*

Date.	No. of voucher.	No. of cheque by which paid.	To whom paid.	Major Heads.		Total of each voucher.	Daily Total carried to Cash Book.
				Minor heads and sub-heads.			
			Budget estimate . . .				
			Total for the month . . .				
			Add total to end of last month . . .				
			Total from 1st April to date . . .				

**FORM 6.**

(See Rules 13 and 15.)

*Imprest Register of the Residency Bazars Fund.*

Amount of Imprest Rs.

Date.	No. of sub-voucher.	To whom paid	Classification		Amount.
			Major head	Minor head and Sub-head.	
		Total drawn from Treasury by Cheque No. ——— on Voucher No. ———	—		

**FORM 7.**

(See Rules 20 and 21.)

*Cash Book of the Residency Bazars Fund.*

Receipts.		Payments.	
Date.	Amount as per register of receipt.	Date.	Amount as per register of payments
	Total of month .		Total of month .
	Opening balance .		Closing balance .
	GRAND TOTAL .		GRAND TOTAL .

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 671  
under Local Laws.)

FORM 8.

(See Rules 4 and 25.)

*Budget estimate of receipts into and expenditure from the Residency  
Bazars Fund for the year 19 .*

Heads of receipt.	Actuals (previous year)	ESTIMATE (CURRENT YEAR).		Estimate (ensuing year).	REMARKS.
		Original, as sanctioned by the Resident.	Revised.		
	Rs.	Rs.	Rs.	Rs.	Rs.
I.—Land Revenue— Income from lands .					
II.—Stamps— Sale of stamps . . Miscellaneous . .					
III.—Excise— Abkari farms . .					
IV.—Provincial Rates— Rates and cesses on lands.					
V.—Assessed Taxes— Taxes on houses . .  Tax on trades and pro- fessions.  Octroi . . . .  Miscellaneous (including tax on horses and carriages.)					
VI.—Registration— Fees and miscellaneous .					
VII.—Law and Justice— General fees, fines, and forfeitures Miscellaneous . .					
VIII.—Police— General Police Fund . Fees, fines and forfei- tures. Miscellaneous (including cattle-pound receipts). Contribution for leave, etc. Contribution for cloth- ing. Unclaimed property .					

672 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders under Local Laws.)

FORM 8—contd.

Budget estimate of receipts into and expenditure from the Residency Bazars Fund for the year 19 .

Heads of receipts.	Actuals (previous year).	ESTIMATE (CURRENT YEAR).		Estimate (ensuing year).	REMARKS.
		Original, as sanctioned by the Resident.	Revised.		
	Rs.	Rs.	Rs.	Rs.	Rs.
IX.—Minor Departments—					
<i>Agriculture—</i>					
Public Gardens .					
<i>Sanitation—</i>					
Conservancy tax and fees					
Sales of manure, etc..					
<i>Water-supply—</i>					
Water tax . .					
Private service tax .					
Other receipts . .					
X.—Miscellaneous—					
Sales of old materials .					
Sales of lands and houses.					
Contributions from H. H. the Nizam's Gov- ernment.					
Rents of houses . .					
Sales of fruit, grass, etc.					
Gam by exchange on local transactions.					
Other miscellaneous re- ceipts (slaughter houses, markets, etc.) to be detailed in manuscript on the back of this form.					
XI.—Public Works—					
Tolls and ferries .					
Miscellaneous . .					
XII.—Deposits and advances—					
Permanent advances .					
Stock account . .					
Other deposits and ad- vances.					
Total receipts from local sources .					
Opening balance . .					
Grand Total .					

RESIDENCY BAZARS COMMITTEE'S

OFFICE, HYDERABAD ;

Dated

19

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 673  
under Local Laws.)**

**FORM 8—contd.**

*Budget estimate of receipts into and expenditure from the Residency  
Bazars Fund for the year 19 .*

Heads of expenditure.	Actuals (previous year).	ESTIMATE (CURRENT YEAR).		Estimate (ensuing year).	REMARKS.
		Original, as sanctioned by the Resident.	Revised.		
	Rs.	Rs.	Rs.	Rs.	Rs.
1.—Refunds— Refunds of stamps . . . Refunds of taxes . . . Miscellaneous refunds . .					
2.—Charges of collection of revenue— Rate and cess collecting establishment. Contingencies . . .					
3.—Stamps— Establishment . . . Contingencies . . . Miscellaneous . . .					
4.—Registration— Establishment . . . Contingencies . . .					
5.—General Administration— Establishment engaged in general management and accounts. Grain compensation allow- ance. Exchange compensation allowance. Contingent charges . . . Contribution towards estab- lishment in Government offices.					
6.—Jails— Lock-ups . . . Contingencies . . .					
7.—Police— Executive Force . . . Establishment . . . Contingencies . . . Miscellaneous (including cattle-pounds and estab- lishment therefor). General Police Fund . . . Exchange compensation allowance.					

FORM 8—contd.

*Budget estimate of receipts into and expenditure from the Residency Bazars Fund for the year 19 .*

Heads of expenditure.	Actuals (previous year).	ESTIMATE (CURRENT YEAR).		Estimate (ensuing year).	REMARKS.
		Original, as sanctioned by the Resident.	Revised.		
	Rs	Rs.	Rs.	Rs.	Rs
8.—Education—					
Inspection       :    :    :					
Grants-in-aid   :    :    :					
9.—Medical—					
<i>Hospitals and Dispensaries—</i>					
Establishments       .    .					
Contingencies       .    .					
Contribution towards pen- sion.					
<i>Vaccination—</i>					
Establishments       .    .					
Contingencies       .    .					
10.—Minor Departments—					
<i>Public Gardens, Tree-tending</i>					
<i>and Forests—</i>					
Establishments       .    .					
Contingencies       .    .					
<i>Cemeteries—</i>					
Establishments       .    .					
Contingencies       .    .					
<i>Conservancy—</i>					
Establishments       .    .					
Contingencies       .    .					
<i>Public Fairs and Exhibi-</i>					
<i>tions—</i>					
Establishments       .    .					
Contingencies       .    .					
<i>Water-supply—</i>					
Establishments       .    .					
Contingencies       .    .					
Contribution to the British P. W. D. on account of Residency Bazars Water Works.					
<i>Registration of Births and</i>					
<i>Deaths—</i>					
Establishments       .    .					
Contingencies       .    .					

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 675  
under Local Laws.)

FORM 8—concl'd.

*Budget estimate of receipts into and expenditure from the Residency  
Bazars Fund for the year 19 .*

Heads of expenditure.	Actuals (previous year).	ESTIMATE (CURRENT YEAR).		Estimate (ensuing year).	REMARKS.
		Original, as sanctioned by the Resident.	Revised.		
	Rs.	Rs.	Rs.	Rs.	Rs.
11.—Superannuation— Pensions and gratuities .					
12.—Miscellaneous—					
Rents, rates and taxes .					
Petty establishments . .					
Contingencies . . .					
Miscellaneous . . .					
Loss by exchange on local transactions.					
13.—Public Works—					
Supervising establishment, tools and plant.					
Original Works—					
Buildings . . .					
Roads . . . .					
Other works . . .					
Maintenance and Repairs—					
Buildings . . . .					
Roads . . . .					
Other works . . .					
Petty construction and repairs					
14.—Deposits and Advances—					
Permanent advances . .					
Stock account . . . .					
Other deposits and advances					
Total Expenditure—					
Closing balance . . .					
Grand Total .					

(Signed)

*Chairman, Residency Bazars Committee.*

FORM 8—APPENDIX A.

*Detailed list of establishments provided for in the Hyderabad Residency Bazars Fund Budget Estimate for the year.*

Establishments engaged in Collection of Revenue.		Establishments engaged in General administration		Police.			
				Executive Force Establishment		Cattle-pound Establishment.	
Details.	Monthly cost	Details.	Monthly cost	Details	Monthly cost.	Details.	Monthly cost
Hospital and Dispensary Establishment.		Vaccination Establishment.		Establishments for Public Gardens, tree-tending and Forests.		Cemetery Establishments.	
Details.	Monthly cost	Details.	Monthly cost.	Details	Monthly cost.	Details.	Monthly cost.
Establishment for Public Fairs and Exhibitions.		Water-supply Establishments		Miscellaneous petty Establishments.			
Details.	Monthly cost.	Details.	Monthly cost.	Details.	Monthly cost.		



**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 677  
under Local Laws.)**

**FORM 8.—APPENDIX A—contd.**

*Conservancy Establishment.*

General Sanitation		Latrines.	
Details	Monthly cost.	Details	Monthly cost.

(Signed)

*Chairman, Residency Bazars Committee.*

**FORM 8—APPENDIX B.**

*Detailed list of Expenditure provided for in the Residency Bazars Fund  
Budget Estimate for the year                      other than that included in  
Appendices A, C and D.*

1	2	3	4		
Major heads.	Minor heads and sub-heads.	Details	Total assignment in Residency Bazars Fund Budget Estimate.		
			Rs.	A.	P.
Refunds .	Refunds of Stamps				
	Refunds of Taxes .				
	Miscellaneous Refunds.				
Charges of collection of Revenue.	Contingencies.				
Registration .	Contingencies.				
General Administration.	Contingencies.				
	Contributions towards Establishments in Government Offices.				

FORM 8—APPENDIX B—contd.

1	2	3			4			
Major heads.	Minor heads and sub-heads.	Details.			Total assignment in Residency Bazar Fund Budget Estimate.			
			Rs.	A.	P.	Rs.	A.	P.
Police . . .	<i>Executive Force.</i>							
	Contingencies							
	Miscellaneous (including cattle-pounds but not establishments therefor).							
Medical . . .	<i>Hospitals and Dispensaries.</i>							
	Contingencies .							
	<i>Vaccination.</i>							
	Contingencies .							
Minor Department.	<i>Public Gardens Tree-tending and Forests.</i>							
	Contingencies .							
	<i>Cemeteries</i>							
	Contingencies .							

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 679  
under Local Laws.)**

**FORM 8—APPENDIX B—concl'd.**

1	2	3			4			
Major heads.	Minor heads and sub-heads.	Details			Total assignment in Residency Bazaars Fund Budget Estimate.			
			Rs.	A.	P.	Rs.	A.	P.
Minor Department—contd.	Conservancy							
	Contingencies							
	Public Fairs and Exhibitions							
	Contingencies							
Superannuation	Water supply.							
	Contingencies							
	Pensions and Gratuities.							
Miscellaneous	Rents, Rates and Taxes.							
	Contingencies							
	Miscellaneous							
Deposits and Advances.	...							

(Signed) \_\_\_\_\_

*Chairman, Residency Bazaars Committee.*

NOTE.—All expenditure should be fully detailed in column 3, thus—

	Rs.	A.	P.
Purchase of three Crawley carts . . . . .	450	0	0
Purchase of bullocks . . . . .	100	0	0
Feed of bullocks . . . . .	168	0	0
Repairs and renewals to pans and receptacles . . . . .	100	0	0
Purchase of gear . . . . .	50	0	0
*Miscellaneous, not included in but excluding any reserve . . . . .	968	0	0
	968	0	0

\* This should include all petty expenditure which cannot be detailed but should not include anything of the nature of a reserve.

FORM 8—APPENDIX C.

(MAJOR HEAD—"Public Works.")

*Details of Budget Estimate for Original Works (Construction of Buildings, Roads, Latrines, etc.) in the Hyderabad Residency Bazars for the year*

1	2	3	4	5	6	7
Sub-heads.	Nature of each work.	Estimated cost of work.	*Estimate for (current year).	Previously expended.	Estimate for (ensuing year).	REMARKS.
Buildings . .						
Roads . .						
Other works .						

NOTE.—Column 3 will show the entire cost of the work; column 4, the sum sanctioned for expenditure during the current year; column 5, the amount previously expended since commencement of the work; and column 6, the amount proposed for expenditure during the ensuing year. Thus, if the work is to be completed during the ensuing year, the total of columns 4, 5 and 6 will equal that in column 3; otherwise the difference will show the amount which will still be required to complete the work.

\*The totals in column 4 will agree with the allotments made in the body of the revised estimate for the current year.

(Signed)

Chairman, Residency Bazars Committee.

FORM 8.—APPENDIX D.

(MAJOR HEAD—"Public Works.")

*Details of Budget Estimate for Maintenance and Repairs in the Hyderabad  
Residency Bazars for the year*

Sub-heads.	Nature of each work.	Estimate (ensuing year).	REMARKS.
Buildings . . .			
Roads . . .			
Other works . . .			
Petty constructions and repairs.			

(Signed)

*Chairman, Residency Bazars Committee.*

[*Hyderabad Residency Orders, 1912, Pt. I, p. 133.*]

*Restriction of the use of horns in the Residency Bazars.*

No. 37-J., dated the 11th April, 1910.—In exercise of the power conferred on him by clause (t)\* of sub-section (i) of section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to prohibit the use of horns by vehicles other than motor-vehicles in the Residency Bazars, and to direct that a breach of this rule shall be punishable on conviction before a Magistrate with a fine which may extend to fifty rupees.

[*Hyderabad Residency Orders, 1910, Pt. I, p. 41.*]

*Rules to regulate traffic, public processions and music in the Residency Bazars.*

No. 72-J., dated the 9th August, 1912.—In exercise of the powers conferred by section 101 (I) (f) of the Regulation for the better adminis-

\* *Sic.* Read (f).

<sup>1</sup> Printed *supra*, p. 53.

tration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to make the following rules to regulate traffic, public processions and music within the said Bazars:—

*Processions and Music.*

1. Applications for permission to pass in procession through the streets, made under section 90 of the Regulation, may be granted in the form appended to these rules subject to the conditions mentioned thereunder and such other conditions as the Superintendent of the Residency Bazars may think fit to impose.

2. No one shall, without the permission of the Superintendent of the Residency Bazars, beat a drum or tom-tom, blow a horn or trumpet or beat or sound any brass or other instrument or utensil, or play any music or sing in a loud voice so as to annoy neighbours.

*Wheeled Traffic.*

3. No carts loaded or unloaded shall pass between the Isa Mian Bazar cross-roads and the Clock Tower cross-roads at any time during the day or night unless they have business there.

4. No loaded carts shall pass on the other principal streets between the hours of 6-30 A.M. and 8-30 A.M. and 4 P.M. and 8-30 P.M.

<sup>2</sup>[5. The driver of a vehicle on a public road shall, except in case of actual necessity, keep to the left when meeting a vehicle approaching from the opposite direction, and shall pass on the right when overtaking a vehicle proceeding in the same direction.]

**FORM.**

Permission is hereby granted to  
son of \_\_\_\_\_ to pass in procession  $\frac{\text{with}}{\text{without}}$  music through  
the Residency Bazars on the \_\_\_\_\_ subject to the conditions  
set forth below

*Conditions.*

(a) Processions may not pass through the principal streets between the hours of 5 P.M. and 8 P.M. and the hours of 10 P.M. and 6-30 A.M. save with the special permission of the Superintendent of the Residency Bazars.

<sup>1</sup> Printed *supra*, p. 58.

<sup>2</sup> Added by Notification No. 42-J., dated the 1st June, 1915. *Hyderabad Residency Orders*, 1915, Pt. I, p. 97.

(b) Processions with music or noise may not pass on any road between the hours of 10 P.M. and 6-30 A.M., or at other times on the main road between the Isa Mian Bazar cross-roads and the Clock Tower cross-roads, except with special permission of the Superintendent of the Residency Bazars. Should a procession wish to pass between these two places, it must either pass without making any noise or else, if music is necessary, it must branch off at the Isa Mian Bazar cross-roads and proceed *via* Madan Chand Rup Chand's house across the New Bazar by the Head Police Station and on to Ramkot by the back road.

(c) Loud music for which special permission must be asked in the application is only allowed for one hour during the day.

(d) Fire-arms may not be discharged anywhere within the Residency Bazars.

(e) Fire-works may not be discharged in the principal streets nor in any place where there is special danger of fire.

(f) Elephants must be turned aside and stopped when carriages or horses are approaching.

(g) Processions must allow room for carriages to pass and must keep to the left of the road.

(h) Any directions given by the police on duty for the preservation of order to facilitate traffic must be strictly attended to.

Conditions (a) to (e) shall not apply to permits granted for special festivals such as the Moharram, the Holi, the Divali, and the Dasara.

In the above conditions the term "Principal streets" means:—

- (1) The road from the Isa Mian Bazar cross-roads to the Ramkot Police Naka passing by the Residency North gate and the Residency Hospital and Clock Tower.
- (2) The road from Putli Baori to Lingampalli by the Head Police Station.
- (3) The road from the Residency North-West gate to the Troop Bazar Police Station.

II. In exercise of the power conferred by section 101 (ii) of the Regulation, the Resident is pleased to direct that a breach of any of the above rules or of any of the conditions mentioned in Rule I shall be punishable, on conviction by a Magistrate, with fine which may extend to fifty rupees, and when the breach is a continuing breach with a further fine which may extend to five rupees for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

*Rules to regulate the sale of meat intended for human consumption.*

No. 86-J., dated the 31st October, 1914.—In exercise of the power conferred on him by section 101 (v) (j) (f) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to make the following rules to regulate the sale of meat intended for human consumption, namely:—

1. No place shall be used as a market for the sale of meat intended for human consumption except the public market, provided that the Superintendent of the Residency Bazars shall have power to license as retail shops for the sale thereof such other places as he may think fit for the purpose, and to withdraw such licenses.

2. Whoever without obtaining a license from the Superintendent of the Residency Bazars under the above rule uses any place not within the public market for the sale of meat shall be liable on conviction by a Magistrate to a fine not exceeding Rs. 20 and to a further fine which may extend to Rs. 2 for every day after such conviction during which he continues so to use it.

3. A fee of Rs. 5 per annum shall be charged for a license granted by the Superintendent of the Residency Bazars under rule 1 for the use of any place as a retail shop for the sale of meat.

All such licenses shall expire on the 31st March in each year and application for their renewal must be made to the Superintendent of the Residency Bazars before the end of March in the year for which they are current.

4. Every license granted for the sale of meat shall be in the following form:—

is hereby licensed to keep

a butcher's shop at No.                      in                      street for the retail  
sale of animal flesh intended for human consumption subject to the follow-  
ing conditions, namely:—

- (1) That the Superintendent of the Residency Bazars or other officer authorised by him shall at all times have free access to the shop for municipal purposes, and that he shall produce this license to any such officer demanding it.
- (2) That he shall not sell or offer for sale any meat that is decomposed or unfit for consumption, or that by blowing or other artificial means is made to appear to be in a condition differing from what it really is.
- (3) That he shall keep for use in the shop proper scales and correct weights properly stamped.

<sup>1</sup> Printed *supra*, p. 58.



- (4) That meat kept for sale shall be properly screened under wire gauze meatsafes, or otherwise effectually protected from flies.

5. A breach of any of the conditions of a license granted under rule 1 above by the licensee or by his servants shall render the licensee liable on conviction by a Magistrate to a fine not exceeding Rs. 20

[*Hyderabad Residency Orders*, 1914, Pt. I, p. 195.]

*Rules for the manufacture and sale of artificial ghi.*

No. 42-1., dated the 25th April, 1918.—In exercise of the powers conferred on him by section 101 (1) (f) (f) and (k) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to make the following rules to regulate the manufacture and sale of artificial ghi in the said Bazars:—

1. At every place where artificial ghi is manufactured or sold a board shall be prominently displayed stating that artificial ghi is manufactured or sold and also setting forth the ingredients thereof.

2. Every such manufacturer of artificial ghi shall maintain at the place where such ghi is manufactured a register in Form A showing from day to day the stock of ghi, the amount manufactured and the amount sold.

3. Every such manufacturer shall also maintain a register in Form B showing from day to day details of the sale of such artificial ghi giving the quantity sold, the name and address of the purchaser and the price paid.

4. No place for the manufacture of artificial ghi shall be opened without obtaining a license from the Superintendent, Residency Bazars, on payment of a fee of Rs. 5, and such license shall be renewable annually on similar payment and is revocable on breach of its conditions, or of these rules.

5. All registers and artificial ghi shall be open to inspection by the Superintendent, Residency Bazars, and Sanitary Inspector, at the place of manufacture at any time between sunrise and sunset.

6. Any breach of these rules shall be punishable, on conviction by a Magistrate, with fine which may extend to fifty rupees, and when the breach is a continuing breach with a further fine which may extend to five rupees for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

FORM A.

Date.	Opening balance.	Manufacture.	Sale.	Closing balance.

FORM B.

Date.	Name and address of purchaser.	Amount sold.	Price paid.

[*Hyderabad Residency Orders*, 1918, Pt. I, p. 93.]

*Hours between which licensed places for sale of liquor and drugs should be closed.*

No. 14-J., dated the 13th February, 1915.—In exercise of the powers conferred on him by section 101 (i) (f) (f) (f) and (ii) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to direct—

- (1) that no place licensed for the manufacture or sale of liquor, tari, opium or ganja shall be kept open between the hours of 9 P.M., and sunrise; and
- (2) that any person committing a breach of the above rule shall be liable, on conviction by a Magistrate, to a fine not exceeding Rs. 50.

[*Hyderabad Residency Orders*, 1915, Pt. I, p. 43.]

*Rules for the registration of births and deaths in the Hyderabad Residency Bazars.*

No. 73, dated the 10th July, 1916.—Not reprinted.

<sup>1</sup> [*Hyderabad Residency Orders*, 1916, Pt. I, p. 135.]

*Hyderabad Residency Bazars Vaccination Rules, 1917.*

No. 58-J., dated the 9th May, 1917.—In exercise of the powers conferred on him by section 101 (i) (g) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895,<sup>1</sup> the Resident is pleased to make the following rules for the regulation of vaccination in the said Bazars.

1. (i) *Short title.*—These rules may be called the “Hyderabad Residency Bazars Vaccination Rules, 1917.”

(ii) *Commencement.*—These rules shall come into force on and from the 1st June, 1917.

2. *Interpretation clause.*—In these rules unless there is something repugnant in the subject or context—

- (i) “Parent” means the father of a legitimate child and the mother of an illegitimate child.
- (ii) “Guardian” includes any person who has accepted or assumed the care or custody of any child.
- (iii) “Unprotected child” means a child who has not been protected from small-pox by having had that disease either naturally or by inoculation or by having been successfully vaccinated, and who has not been certified under these rules to be insusceptible to vaccination.
- (iv) “Inoculation” means any operation performed with the object of producing the disease of small-pox in any person by means of variolous matter.
- (v) “Vaccinator” means any vaccinator appointed under these rules to perform the operation of vaccination, or any private person authorised in manner hereinafter provided to perform the same operation; and includes a Superintendent of Vaccination.
- (vi) “Vaccination season” means the period during which alone vaccination may be performed under these rules and it shall be the whole year with the exception of April and May.

3. *Prohibition of inoculation.*—Inoculation shall be prohibited in the Residency Bazars. No person who has undergone inoculation shall enter the Residency Bazars before the lapse of forty days from the date of operation, without a certificate from a medical practitioner of such class as the Resident may from time to time by written order authorize to grant such certificates stating that such person is no longer likely to produce small-pox by contact or near approach.

4. *Vaccination Circle*.—For the performance of vaccination in accordance with the provisions of these rules, the Residency Bazars shall be one Vaccination Circle.

5. *Vaccine stations*.—The Residency Hospital shall be the public vaccine station for the Residency Bazars and the Residency Bazars Committee shall cause to be fixed at the outside of the Hospital in a conspicuous position a sign-board on which shall be printed in letters easily legible, and in English, Telugu, Marathi and Urdu characters the following inscription “The Residency Bazars Vaccine Station”.

6. *Superintendent of Vaccination*.—The Residency Surgeon shall be the Superintendent of Vaccination and he shall have full discretion as regards the appointment of vaccinators.

7. *Private vaccinators*.—The Resident may by written license authorize private vaccinators to perform vaccination in the Residency Bazars and may suspend or cancel such license.

8. *Fees chargeable by private vaccinators and the authority to which they are subject*.—Such private vaccinators shall in no case demand a higher fee than one rupee for a single operation, and shall perform their duties under the orders and subject to the general control of the Residency Surgeon.

9. *No fee to be charged by public vaccinator*.—No fee shall be charged by any public vaccinator for any of the duties imposed on such vaccinator by or under the provisions of these rules.

10. (i) *Unprotected children to be vaccinated*.—When any unprotected child, having attained the age of six months, has resided, for a period of three months during the vaccination season in the Residency Bazars, and has not, at the expiration of such period, attained the age, if a boy, of fourteen years, and, if a girl, of eight years, the parent or guardian of such child shall take it, or cause it to be taken, to a vaccinator to be vaccinated or send for a vaccinator to vaccinate it.

(ii) *Vaccinator to deliver certificates of vaccination or postponement*.—Such vaccinator shall vaccinate the child, and deliver to its parent or guardian a memorandum stating the date on which the vaccination has been performed and the date on which the child is to be inspected in order to ascertain the result of the operation, or shall, if he finds such a child in a state unfit for vaccination, deliver to its parent or guardian a certificate in Form A appended to these rules under his hand to the effect that the child is in a state unfit for vaccination for the whole or part of the current vaccination season.

11. *Vaccinators to attend at the Vaccine Stations*.—During the vaccination season the vaccinators shall attend at the Vaccine Station on the days and hours prescribed by the Residency Surgeon.

12. *Inspection after vaccination.*—(v) The parent or guardian of every child which has been vaccinated under rule 10, shall, on the date of inspection stated in the memorandum, take the child, or cause it to be taken, to a vaccinator for inspection, or get it inspected at his own house by a vaccinator; and

(vi) Such a vaccinator shall then append to the memorandum a certificate stating that the child has been inspected, and the result of such inspection.

13. *Procedure when vaccination is successful.*—When it is ascertained, at the time of inspecting a child under rule 12, that the vaccination has been successful, a certificate shall be delivered by the vaccinator to the parent or guardian of such child to that effect in Form B appended to these rules and such child shall thereafter be deemed to be protected.

14. *Procedure when vaccination is unsuccessful.*—When it is ascertained as aforesaid that the vaccination has been unsuccessful, the parent or guardian shall if the vaccinator so direct, cause the child forthwith again to be vaccinated and subsequently inspected in manner hereinbefore provided.

15. *Procedure when child is unfit for vaccination.*—A certificate granted under section 10 (v) showing the unfitness of a child for vaccination, shall remain in force for the period stated therein; and, on the termination of that period, or, if that period terminates after the vaccination season is over, when the next vaccination season begins, the parent or guardian of such child shall take the child, or cause it to be taken, to a vaccinator to be vaccinated, or procure its vaccination at his own house by a vaccinator:

Provided that, if the child is still found to be in a state unfit for vaccination, the certificate granted under rule 10 shall be renewed.

16. *Certificate of insusceptibility of successful vaccination.*—If the Superintendent of Vaccination is of opinion that a child, which has been three times unsuccessfully vaccinated, is insusceptible of successful vaccination, he shall deliver to the parent or guardian of such child a certificate in Form C appended to these rules under his hand to that effect; and the parent or guardian shall thenceforth not be required to cause the child to be vaccinated.

17. *Nature of Lymph to be used.*—The Lymph to be used shall be animal lymph of the best quality provided that, if the parent or guardian desires that such child shall be vaccinated with the human lymph, it shall be so vaccinated.

18. (i) *Powers and duties of Superintendent of Vaccination.*—The Superintendent of Vaccination shall be responsible for the proper enforce-

ment of these rules and he may issue such orders as he may deem necessary for the guidance of vaccinators.

(ii) *Notice to parent or guardian neglecting to comply with rules.*—The Superintendent of Vaccination, in addition to the other duties imposed on him by or under these rules, shall ascertain whether all unprotected children, under the age of fourteen years if boys, and under the age of eight years if girls, within the Residency Bazars, have been vaccinated; and if he has reason to believe that the parent or guardian of any such child is bound, by the provisions hereinbefore contained, to procure the vaccination of such child or to present it for inspection, and has omitted so to do, he shall personally go to the house of such parent or guardian, and there make enquiry, and shall, if the fact is proved, forthwith deliver to such parent or guardian, or cause to be affixed to his house, a notice requiring that the child be vaccinated, or (as the case may be) that it be presented for inspection, at a time and place to be specified in such notice.

19. *Order by Magistrate when notice not complied with.*—(i) If such notice is not complied with, the Superintendent of Vaccination shall report the matter to the District Magistrate, Residency Bazars, who on receiving such report shall summon the parent or guardian of the child, and demand his explanation, and shall, if such explanation is not satisfactory, make an order in writing directing such parent or guardian to comply with the notice before a date specified in the order.

(ii) If, on such date, the order has not been obeyed, the District Magistrate of the Residency Bazars shall summon the parent or guardian before him, and, unless just cause or excuse is shown, shall deal with the disobedience as an offence punishable under rule 24.

20. *Vaccination of children at private houses.*—Persons desirous of procuring the vaccination of their children at their own houses may apply for that purpose to the Superintendent of Vaccination who shall thereupon depute a vaccinator to comply with the request.

21. *Registers to be kept up by Vaccinators.*—Every public and private vaccinator, employed within the Residency Bazars, shall keep the following registers:—

Register A showing:—

- (i) Name, sex, age, parentage, caste and residence of each child vaccinated.
- (ii) Date of vaccination.
- (iii) Date of inspection of the vaccination.
- (iv) Result, whether successful or unsuccessful.

- (v) Date of re-vaccination.
- (vi) Date of inspection after re-vaccination.
- (vii) Result, whether successful or unsuccessful.

Register B showing :—

- (i) Name, sex, age, parentage, caste and residence of each child produced, but found unfit for vaccination.
- (ii) Date of certificate of postponement granted under rule 10.
- (iii) Date on which the child was re-presented for vaccination and the result of inspection.
- (iv) Date of renewal of postponement certificate, if any.
- (v) Remarks.

22. *Preparation of Vaccination Reports and Returns*—Every public and private vaccinator shall prepare a monthly report on the general result of the vaccine operations during that period, and shall submit the same to the Residency Surgeon, accompanied by a return showing :—

- (i) Number of boys vaccinated during the month.
- (ii) Number of girls vaccinated during the month.
- (iii) Results.—
  - (a) Number successful.
  - (b) Number unsuccessful.
  - (c) Number insusceptible.

23. *Reports and Returns to be called for by the District Magistrate, Residency Bazars.*—The District Magistrate of the Residency Bazars, may call for these reports and returns whenever necessary and his requisitions for these shall be complied with.

24. *Offences.*—Whoever commits any of the undermentioned offences (that is to say) :—

- (a) violates the provisions of rule 3,
- (b) neglects, without just cause, to obey an order made under rule 19, shall on conviction by a Magistrate be punished with fine which may extend to Rs50 and in the case of a continuing breach with fine not exceeding Rs5 for each day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

25. *Residency Bazar Fund to receive fines and meet expenditure.*—The amount of all fees and fines realised and the amount of all expenditure incurred, under these rules, shall respectively be credited to and paid from the Residency Bazar Fund.

FORM A.

[See Rule 10 (ii).]

*Certificate of unfitness for vaccination.*

I, \_\_\_\_\_, Vaccinator, do hereby certify that in my opinion (name of child) \_\_\_\_\_, the son (or daughter, as the case may be) of \_\_\_\_\_, resident of \_\_\_\_\_ is in a state unfit for vaccination, and that such unfitness will continue up to the \_\_\_\_\_ day of \_\_\_\_\_ (month).

(Signed)

*Vaccinator.*

Dated \_\_\_\_\_

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FORM B.

[See Rule 13.]

*Certificate of successful vaccination.*

I, \_\_\_\_\_, Vaccinator, do hereby certify that (name of child) \_\_\_\_\_, the son (or daughter as the case may be) of \_\_\_\_\_, resident of \_\_\_\_\_ was vaccinated by me on the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ and after inspection, I am satisfied that the vaccination has been successful.

(Signed)

*Vaccinator.*

Dated \_\_\_\_\_

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FORM C.

[See Rule 16.]

*Certificate of unsusceptibility of successful vaccination.*

I, \_\_\_\_\_, the Superintendent of Vaccination, do hereby certify that \_\_\_\_\_, the son (or daughter as the case may be) of \_\_\_\_\_, resident of \_\_\_\_\_ has been three times unsuccessfully vaccinated, and that in my opinion he (or she as the case may be) is insusceptible of successful vaccination.

(Signed)

*Superintendent of Vaccination.*

Dated \_\_\_\_\_



*Standard weights and measures.*

*No. 46-J., dated the 14th June, 1927.*—In exercise of the powers conferred on him by clause (g) (g) of Sub-section (1) of Section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895,<sup>1</sup> as subsequently amended, the Resident is pleased to make the following rules prescribing the standard weights and measures to be used within the Hyderabad Residency Bazars, which shall take effect from the 15th July, 1927.

*Rules.*

1. The Residency Bazars Committee shall maintain in the Residency Bazars office a set of weights and measures which shall serve as standard weights and measures to be used in the Residency Bazars.

2. No person shall use in the Residency Bazars any weight or measure which is not marked by the Superintendent, Residency Bazars, in such manner as he deems suitable, in token of its representing the correct weight or measure.

3. The Superintendent, Residency Bazars, or any person authorised by him in writing may inspect any weight or measure used in the Residency Bazars and may for such purpose call upon any person using any weight or measure to produce it before him on demand. All weights and measures in use in the Residency Bazars shall be inspected at least once each year.

4. The Superintendent, Residency Bazars, may cause to be destroyed any weight or measure, which does not tally with the standard prescribed.

5. Any liquid sold by the bottle shall be sold at the rate of twenty-four liquid ounces to the bottle.

6. The measures used to sell article sold by the measure shall correspond to the local standard measures and no other measures shall be used.

7. The weights and measures brought into use in virtue of this notification shall be liable to periodic verification once in three years, and when so verified, the Superintendent, Residency Bazars, should mark the date of such verification on the weights and measures, so verified.

[*Hyderabad Residency Orders, 1927, Pt. I, p. 79.*]

*Arrest of persons without a warrant in certain cases.*

*No. 57-J., dated the 5th August, 1915.*—In exercise of the power conferred on him by section 101 (I) (i) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895,<sup>1</sup> the Resident is pleased to direct that any member of the police force employed in the

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<sup>1</sup> Printed *supra*, p. 58.

Hyderabad Residency Bazars may, without a warrant, arrest any person committing in his view any of the offences specified in the schedule hereto appended:

Provided as follows:—

- (i) No person shall be so arrested whose name and address are known to the arresting officer.
- (ii) No person shall be so arrested who consents to give his name and address unless there is reasonable ground for doubting the accuracy of the name or address so given, the burden of proof of which shall be on the arresting officer
- (iii) No person so arrested shall be detained after his name and address have been ascertained.
- (iv) No person so arrested shall, except under the orders of a Magistrate, be detained longer than may be necessary for bringing him before a Magistrate.

*Schedule.*

Bathing or washing animals or clothes at any public place which has, by public notice, been prohibited from being so used by the Residency Bazars Committee. (Section 50 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895).

Feeding animals on filth, etc. (Section 87-A of the Regulation).

Driving vehicles without proper lights. (Section 88 of the Regulation).

Discharging fire arms, letting off fireworks, etc. (Section 89 of the Regulation).

Suffering dogs to be at large. (Section 91 of the Regulation).

Destroying direction posts, lamp posts, etc. (Section 95 of the Regulation).

Offences made punishable by the rules for the control of processions, music and wheeled traffic, issued under section 101 (1) (f) of the Regulation, and published in *Residency Orders* Notification No. 72-J.,<sup>1</sup> dated the 9th August, 1912.

Offences made punishable by the rules for the sale of meat, issued under section 101 (1) (f) (f) of the Regulation, and published in *Residency Orders* Notification No. 86-J.,<sup>2</sup> dated the 31st October, 1914.

Offences made punishable by the rules for the closing of shops licensed for the sale of liquor, etc., issued under section 101 (1) (f) (f) (f) of the

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<sup>1</sup> Printed *supra*, p. 681.

<sup>2</sup> Printed *supra*, p. 684.

Regulation and published in *Residency Orders* Notification No. 14-J<sup>1</sup>, dated the 13th February, 1915.

Offences made punishable by the rules to regulate the use of the Imperial Coronation Garden, issued under section 101 (1) (k) of the Regulation, and published in *Residency Orders* Notification No. 43<sup>2</sup>, dated the 1st June, 1915.

[*Hyderabad Residency Orders*, 1915, Pt. I, p. 126.]

*Rules to regulate the erection of buildings.*

No. 132-J., dated the 31st December, 1917.—In exercise of the power conferred on him by section 101 (1) (k) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895,<sup>3</sup> and in supersession of *Residency Orders* notification No. 64-J., dated the 20th August, 1914, the Resident is pleased to make the following rules with reference to section 48 of the Regulation, namely:—

1. *Frontage*.—Every building abutting upon a road either existing or projected shall be constructed in such a manner that its front shall be parallel to the line of the road.

2. *Alignment*.—(a) The distance between the building line and the edge of the road shall not be less than four feet.

(b) Provided that the building line of each road be properly defined.

(c) When a porch, balcony or other projection is added, this distance shall be increased by an amount equal to the depth of the projection.

(d) It shall not be permissible to erect any structure that encroaches upon or overhangs a space devoted to public use.

3. *Height*.—(a) The height of a building, inclusive of parapet walls, but not of pitched roofs, shall not exceed the width of the road, either existing or proposed, upon which it abuts.

(b) Should there be an upper story set back from the building line, the height of the building may be increased by the amount the story has been set back.

(c) When a building abuts upon more than one road its height shall be regulated by the width of the wider road, provided that the depth of the building is not greater than its width.

(d) The height of a building shall be measured from ground level at the centre of the nearest road.

(e) The width of the road shall be measured from edge of road to edge of road for the purpose of this rule.

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<sup>1</sup> Printed *supra*, p. 686.

<sup>2</sup> Printed *infra*, p. 709.

<sup>3</sup> Printed *supra*, p. 58.

4. *Site.*—(a) No building intended for human habitation shall be erected upon a site that is incapable of being properly drained.

(b) No building intended for human habitation shall be erected upon any site which shall have been filled up with any material impregnated with faecal matter, or impregnated with any animal or vegetable matter, or upon which such matter may have been deposited, unless and until such matter shall have been properly removed by excavation or otherwise from such site.

(c) No building shall be erected over or encroach upon any municipal drain or any water supply pipe except the house connection.

5. *Foundation.*—The foundation of every building shall rest upon natural ground.

6. *Pressure on soil*—(a) The spread of the foundation shall be such that the pressure on the soil, taking into account all the loads that the structure may be called upon to bear, shall not exceed the bearing power of the soil.

(b) The following pressures shall not be exceeded:—

Ordinary earth, 1 ton per square foot.

Hard moorum and semi-rock, 4 tons per square foot.

Hard rock, 10 tons per square foot.

(c) Foundation trenches shall be filled with good stone masonry set in either good cement or lime mortar, or with either good cement or lime concrete.

7. *Basement.*—The level of the surface of the ground floor of a building shall be at least eighteen inches above the level of the centre of the nearest road, provided that no building need have a plinth higher than three feet above the ground.

8. *Floor level.*—The lowest floor of a building shall be constructed at such a level above ground as will admit of the effectual drainage of the building into a municipal drain.

9. *Damp and vermin-proof course.*—(a) Every wall of a building intended for human habitation shall be provided with a damp and vermin-proof course composed of durable material impervious to moisture.

(b) Shahabad stone slabs of not less than  $1\frac{1}{2}$  inch thickness jointed in good cement mortar shall be permitted as damp and vermin-proof material.

10. *Basement filling.*—The space between the basement walls shall be filled with clean material properly rammed in layers not exceeding  $4\frac{1}{2}$  inches in thickness.

11. *Flooring.*—The surface of the floor of any building intended for human habitation shall consist of durable and impermeable material,

such as Shahabad stone, etc., resting upon any one of the following foundations:—

(a) Good lime concrete in the proportion—

Lime 1.

Sand 2.

Broken stone or brick 4.

(b) Good cement concrete.

Cement 1.

Sand 2.

Broken stone or brick 5.

(c) Good well-burned terrace bricks properly set in either good lime or cement mortar mixed in the proportion—

Lime 1.

Cement 1.

Sand 2.

Sand 4.

(d) Provided that properly constructed timber flooring shall be permitted for first floors.

12. *Superstructure.*—(a) All walls of a masonry building shall be properly bonded.

(b) The walls of a masonry building shall be constructed of good burnt brick or some other hard and incombustible material.

(c) The following compressive stress in masonry shall not be exceeded:—

Local brick in lime or cement, 2 tons per square foot.

Stones in lime or cement, 5 tons per square foot.

13. *Plastering.*—(a) Every building intended for human habitation and constructed of local bricks shall be coated both internally and externally with either good lime or good cement plaster.

(b) Every building intended for human habitation and constructed of stone in lime or stone in cement masonry shall have its internal walls coated with either good lime or good cement plaster.

(c) Every wall constructed of local bricks shall have its weather surface coated with either good lime or cement plaster.

14. *Concentrated loads on masonry.*—Concentrated loads shall be transmitted to masonry by means of templates of either dressed stone or portland cement concrete. The templates shall be of such size that the compressive stress on the masonry shall not be in excess of that specified under Clause 12.

15. *Roofs.*—(a) Any of the following types of roofs properly constructed may be employed:—

Madras Terrace.

Bengal Terrace.

Mangalore tiles, single.

Mangalore tiles on either special or country flat tiles.

Shahabad stone slabs.

Corrugated iron.

Other materials if approved by the Superintendent, Residency Bazars.

(b) In the case of a pitched roof the angle of pitch shall not exceed 45.

16. *Materials.*—(a) Except in the cases of temporary building, not intended for human habitation, and for which the special sanction of the Superintendent, Residency Bazars, shall be required, neither mud nor sun dried bricks shall be used in the construction of any building whatsoever.

(b) Neither country pot nor country pan tiles shall be used as roofing materials for any but temporary structures not intended for human habitation.

(c) Grass, mats, leaves, tatties, thatch or chuppers shall not be used for building purposes.

(d) Provided that well-made chupper sun-shades may be employed if the requirements of Rules Nos. 2 (d), 3, 4 (c), 18 (c), 19 (b), 20 (b), are not thereby infringed.

17. *Boundary walls and parapets.*—The following dimensions shall be observed as minima:—

Pier centres not exceeding 6 feet.

Height including coping.	Thickness of wall at panel.	Dimensions of pier.
Up to 4'—6"	4½"	9" × 9"
„ 6'—0"	9"	14" × 14"
„ 7'—6"	9"	18" × 18"

18. *Dwelling houses.*—Every room intended for human habitation:—

(a) shall be in every part not less than 10 feet in height, measured from the surface of the floor to the underside of the beam on which the roof is supported, or to eaves level in the cases of pitched roofs;

(b) shall have a clear superficial area of not less than 120 square feet;

(c) shall be provided for purposes of ventilation with doors or windows opening, either into the external air or into verandahs into which wind has free access;

(d) shall have one wall throughout its entire length an external wall.

(e) The window openings or ventilator gratings shall not be less than one-tenth of the floor area.

19. *Courtyard*.—(a) In the rear of every building intended for human habitation there shall be an open space of a minimum width of 10 feet extending along the entire width of the building and belonging exclusively to the building, unless the back of the building abuts upon an open space, or the like, of not less than 20 feet in width, which is dedicated to public use and is, therefore, unlikely to be built upon.

(b) <sup>1</sup>[Fifty per cent. of the total area of every plot on which a building intended for human habitation is to be constructed must be left open and unencumbered by any buildings thereon. This is inclusive of the open space referred to in sub-clause (a) of this rule].

(c) Every courtyard shall be raised to such a level that it can be efficiently drained into a municipal drain.

20. *Privies*.—(a) No person shall construct a private privy unless—

(1) His courtyard wall abuts upon a lane or road accessible to sweepers.

(2) His courtyard is of sufficient size to accommodate the privy without infringing the requirements of Clause 19.

(b) No structure other than another privy or bathing place shall be erected within 10 feet of a privy.

(c) Every privy shall be constructed in accordance with a standard plan and be capable of being converted into a water closet.

<sup>2</sup>[21. Neither the construction of a new building of a private nature nor the conversion of a single-storied building, into a double-storied building shall be sanctioned in the Residency Bazars without the previous permission of the Resident.

22. An application submitted to the Resident for sanction under Rule 21, shall be accompanied by a plan showing the situation of the proposed building and a declaration countersigned by the Engineer, Hyderabad Central Public Works Department and Residency Bazars Works, to the effect that the building is not within one hundred yards of the Residency outer wall.

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<sup>1</sup> Substituted by Notification No. 47-P., dated the 12th May, 1928. *Hyderabad Residency Orders*, 1928, Pt. I, p. 66.

<sup>2</sup> Added by Notification No. 70-P., dated the 6th September, 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 162.

23. All applications for the construction of new buildings shall be referred to the Residency Bazars Committee, the Residency Surgeon and the Engineer, Hyderabad Central Public Works Department and Residency Bazars Works, for their remarks before submission to the Resident.

24. The Superintendent of the Residency Bazars may sanction works, such as the construction of latrines and out-houses, the re-erection of, additions to, and alterations in, buildings under Section 48 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895, or constructions of a temporary nature, provided that no permission shall be granted to the construction of a building or any portion of a building, which may overlook the Residency and that no building shall be allowed to be constructed within one hundred yards of the outer wall of the Residency compound on ground not now built upon.

25. Permission for alterations in, additions to, or re-erection of buildings, or the construction of out-houses or latrines, within the area covered by the Residency Bazars Town Improvement Scheme, shall be accorded only if the applicant or owner of the building at the time he submits his application for permission, executes an agreement that, if the said building is acquired under the Land Acquisition Act, 1894, he shall accept compensation for the building as it stood before the alterations, additions, etc., were made, and that he shall not be entitled to any compensation whatsoever in respect of any of the alterations, additions, etc., which he may be permitted to carry out in pursuance of the said application.]

#### *Exempted Buildings.*

1. All Government buildings.

2. Any building erected and used, or intended to be erected and used, exclusively for the purpose of an orchard-house, plant-house, greenhouse, conservatory, summer-house, poultry-house, boat-house, fuel-shed, garden-tool house, potting-shed, cycle-shed, motor-shed, carriage-shed, or aviary which shall not exceed in extent 600 cubic feet, provided that Rules Nos. 1, 2, 3, 4 (c), 13 (c), 16 (c), 19 (b), 20 (b) are not infringed, and provided also that the building is not of "Kutchha" construction.

3. Any building used or intended to be used exclusively for the keeping of domestic animals, provided that it does not infringe Rules Nos. 1, 2, 3, 4 (c), 13 (c), 16 (c), 19 (b), 20 (b) and provided also that the building is not of "Kutchha" construction.

#### *Definitions.*

1. *New building*.—A new building erected upon a new site.

When a building is demolished to ground level the structure erected in its stead shall be classified as a new building.



2. *Good construction*.—Construction complying with the Building Rules.

3. *Kutch-pucca construction*.—Masonry consisting of properly bonded good local bricks or stones set in mud with brick-in-lime or stone-in-lime masonry round door and window frames and other wood-work.

4. *Kutch construction*.—Masonry consisting principally of mud, sun-dried bricks in mud, rubble stone in mud, or of improperly bonded bricks or stones.

#### *Classification of Buildings.*

Buildings shall be classified as under:—

- (1) New buildings.
- (2) Existing buildings.

(a) Buildings that will not be affected by town-planning and drainage works—

- (1) Good construction.
- (2) Kutch-pucca construction.
- (3) Kutch construction.

(b) Buildings that will be affected by Town-planning and drainage works—

- (1) Good construction.
- (2) Kutch-pucca construction.
- (3) Kutch construction.

3. Before permission is granted for the extension, alteration, partial reconstruction or repair of an existing building, the work shall be classified by the <sup>1</sup>[Engineer; Hyderabad Central Public Works Department and Residency Bazars Works.]

#### *Application of Building Rules.*

1. *New buildings*.—The rules shall apply in their entirety.

*Extensions, alterations, partial re-construction and repairs of existing buildings.*

2. A 1.—The rules shall apply in their entirety.

3. A 2.—The rules shall apply in cases of ground floors of double storied buildings or buildings of height exceeding 20 feet, to eaves or ceiling.

Kutch-pucca construction for superstructure may be permitted for the extension of single storied structures of height not exceeding 20 feet, or for the extension of first floors.

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<sup>1</sup> Substituted by Notification No. 70-P., dated the 6th September, 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 162.

In these cases Rule No. 16 (a) need not be enforced.

4. A 3.—Extension shall not be permitted.

Repairs only may be permitted.

5. B 1 and B 2.—If permission for extension or alteration is refused on the ground that the land will be required for town improvement or drainage the Residency Bazars Committee shall take steps to acquire the land at as early a date as possible.

The rules shall apply as for A 2 Classification.

6. B 3.—Extension shall not be permitted.

If permission for alteration, partial re-construction or repair is refused on the ground that the land will be required for town improvement or drainage the Residency Bazars Committee shall take steps to acquire the land at as early a date as possible.

7. *Roofing*.—In the case of the extension, alteration, partial re-construction, or repair of an existing building, Rules Nos. 15 (a) and 16 (a) may not be enforced. It shall be permissible to employ double country tile roofing, i.e., country pot or pan tiles upon country flat tiles.

Single country tiled roofs either with or without matting shall not be permitted.

8. *Deviations*.—Deviations may be permissible in exceptional cases.

Every deviation from the rules shall be brought to the notice of the Building Sub-Committee by the <sup>1</sup>[Engineer, Hyderabad Central Public Works Department and Residency Bazars Works.] The Building Sub-Committee shall have no power to sanction such deviation unless its finding be unanimous.

9. *Building Sub-Committee*.—The Building Sub-Committee shall consist of the following members:—

The Superintendent of Residency Bazars.

The <sup>1</sup>[Engineer, Hyderabad Central Public Works Department and Residency Bazars Works.]

One non-official Indian Member.

*Procedure to be observed when applying for permission to execute building and repair works.*

1. Applications shall be submitted to the Superintendent, Residency Bazars, in duplicate.

2. One copy of the application shall bear one one-anna Court Fee Stamp.

<sup>1</sup> Substituted by Notification No. 70-P, dated the 6th September, 1927. *Hyderabad Residency Orders*, 1927, Pt. I, p. 162.

3. The nature of the work shall be fully described on the application.
4. A list of the materials to be used shall be given.
5. Drawings shall be submitted for all new buildings, alterations and extensions.

6. Buildings shall be drawn to a scale of 8 feet to one inch.

7. Site plans to a scale of 50 feet to one inch shall accompany all applications for building works.

In cases where surveys to a scale of 50 feet to one inch are not available the site plans shall be plotted to the scales of available surveys.

8. The site plans shall show the boundaries of adjacent properties.

9. Drawings shall be of standard size.

C. Size measuring	. . . . .	36" × 27"
D. " "	. . . . .	27" × 18"
E. " "	. . . . .	18" × 13½"
F. " "	. . . . .	13½" × 9"

(NOTE—F size is usually large enough and is very convenient.)

10 Drawings shall be made on tracing cloth and executed in black ink.

11. Drawings shall not be coloured. New work may be distinguished from old by hatched lines.

12. Drawings shall not be folded.

[*Hyderabad Residency Orders*, 1918, Pt. I, p. 6.]

### *Whitewashing of houses in the Residency Bazars.*

No. 76, dated the 24th August, 1904.—In exercise of the powers conferred by section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars<sup>1</sup>, published under the Government of India, Foreign Department, notification No. 3001-I., dated the 10th September 1895, the Resident is pleased to issue the following rule:—

That every owner or occupier of buildings and lands in the Residency Bazars, shall whitewash the outside of his buildings and compound walls once a year during the month of October or November.

[*Hyderabad Residency Orders*, 1904, Pt. I, p. 184.]

### *Rules for the supply of filtered water for domestic purposes.*

No. 93-J., dated the 1st November, 1927.—In exercise of the powers conferred on him by clause (k) of sub-section 2\* of section 101 of the Regulation for the better administration of the Residency Bazars,<sup>1</sup> pub-

<sup>1</sup> Printed *supra*, p. 58.

\* *Sic.* Read sub-section (i).

lished under the Notification of the Government of India in the Foreign Department No. 3001-I., dated the 10th September 1895, the Resident is pleased to make the following rules for the supply of filtered water to owners or occupiers of buildings or lands in the Residency Bazars for domestic purposes:—

*Rules.*

1. On the written application of the owner or occupier of any building or land the Residency Bazars Committee may at their discretion allow him to take water into his premises for domestic purposes from the source of public water supply for the Residency Bazars, by laying a half inch, three quarter inch or one inch pipe, subject to the payment of rates prescribed in that behalf from time to time.

2. No new water pipe or extension to an old one shall be laid by any owner or occupier of any building or land without the permission in writing of the Superintendent of the Residency Bazars, which permission will not be refused except under exceptional circumstances.

3. The pipes shall be laid by the Residency Bazars Committee on the applicant depositing the cost in the Residency Bazars Office in advance.

4. It shall be the duty of every owner or occupier of a building or land which has been connected with the public water supply to report immediately to the Superintendent, Residency Bazars, any accident to the private water service pipe. The Superintendent, Residency Bazars, will get the pipe repaired at the cost of the owner or occupier.

5. If an accident occurs to the private water service pipe, or if from any cause that appears to the Residency Bazars Committee to be reasonable, there is temporary stoppage in the water supply, the owner or occupier liable to pay the water rate shall not be entitled to claim any reduction in the rate, nor shall he be entitled to sue the Residency Bazars Committee in the civil courts for damages for any loss or inconvenience occasioned to him thereby; provided that if the stoppage continues for seven days the Committee shall at the end of that period either put the pipe into working order at their own expense or remit payment till that is effected.

6. Owners or occupiers obtaining water supply are strictly prohibited from using pipe water for gardens, fountains and distilleries. If water is required for distilleries, it can be taken on payment of three times as much as the rate charged for domestic purposes.

7. Any person infringing these rules shall on conviction before a Magistrate be liable to a fine not exceeding Rupees 50. If the infringement is a continuing one, he shall be liable to a further fine which may extend to Rs. 5 for every day after the date of such conviction, during which the infringement is proved before a Magistrate to have been persisted in.

*Rules to regulate the supply of water for irrigation in the Residency Bazzars.*

No. 50, dated the 5th July, 1905.—In exercise of the powers conferred upon him by section 101, (I), (c) and (k) of the Regulation for the better administration of the Hyderabad Residency Bazzars, 1895<sup>1</sup>, the Resident is pleased to make the following rules regarding the supply of water for purposes of irrigation to gardens in the Residency Bazzars:—

These rules shall come into force from 15th August 1905.

In these rules, unless there is anything repugnant in the subject or context:—

- (1) "Committee" means the Local Fund Committee of the Hyderabad Residency Bazzars.
- (2) "Chairman" means the Chairman of the said Committee.
- (3) "Water" means water supplied from the Residency Bazar Water Works for the purposes of irrigating any garden in the Residency Bazzars.
- (4) "Water-rate" means the amount payable monthly for water.
- (5) "Rate-payer" means any person who has agreed under Rule III to pay water-rate.

I. Every application for water shall be addressed to the Chairman in Form I, appended to these rules.

II. On receipt of an application for water, the Chairman shall inform the applicant of:

- (a) the cost of laying pipes for the conveyance of water to the garden concerned, and
- (b) the water-rate payable in respect of such garden.

III. If the applicant consent to pay the charges aforesaid, he shall communicate his consent to the Chairman by a letter in Form II appended to these rules. Such letter shall bear a stamp of the value of eight annas, and shall be deemed to be an agreement binding on the applicant. The applicant shall, together with the letter, forward to the Chairman the sum specified in Rule II (a) above.

IV. On receipt of the letter and sum specified in Rule II (a), the Committee shall cause the pipes to be laid down with as little delay as possible and shall intimate to the applicant the date from which water will be supplied for his garden. Such date shall ordinarily be the 1st or the 16th of the month following that in which the application is received; provided that no water shall be supplied until the applicant shall have deposited with the Chairman the water-rate due for one month if water is supplied from the 1st of any month, or for one and a half months if water is supplied from the 16th of any month.

V. After the expiry of one or one-and-a-half months, as the case may be, from the date on which water is first supplied, the water-rate shall be payable monthly in advance on presentation of a bill on behalf of the Committee. In the event of the water-rate not being paid within seven days from the commencement of the month to which it relates, or from the date on which the bill is presented (whichever is later), the Committee shall be at liberty to stop the supply of water to the garden concerned until the water-rate is paid, and in the event of the water-rate not being paid within thirty days of such date as aforesaid to recover the amount by the procedure laid down in Section III of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895.

VI. If the rate-payer wishes the supply of water to be discontinued, he shall give notice in writing to that effect to the Chairman not later than the 7th or 21st of any month, and shall, if he fail to give such notice by such date, be liable for the water-rate for the half month next following the date on which the said notice is received.

VII. The Committee may at its discretion and without assigning any reason for its action refuse any application for water, and may discontinue the supply of water temporarily or permanently; provided that the rate-payer shall not be liable for the payment of water-rate after the date of such discontinuance.

VIII. When the supply of water has been permanently discontinued either by order of the Committee or at the request of the rate-payer, the pipes laid down under Rule IV shall become the property of the rate-payer, who shall be at liberty to dispose of them as he may think fit, and the Committee shall not be liable for the cost of their removal.

IX. Every case of injury or accident to the pipes laid down for the conveyance of water to the garden of any rate-payer shall be reported, within 24 hours of the occurrence of the injury or accident, by the rate-payer concerned to the Chairman, who shall forthwith cause the pipes to be repaired. If, in the opinion of the Chairman, whose order on this point shall be final, the injury or accident in question was caused by any misconduct or negligence on the part of the rate-payer or of any person employed by the rate-payer, the cost of repairing the pipes shall be charged to the rate-payer, and the repairs shall not be executed until the cost has been paid. In any other case the cost of repairs shall be defrayed by the Local Fund.

X. Every rate-payer shall be supplied, from time to time, with a table stating the days on which, and the hours between which, water will be supplied to his garden, and the Chairman may, at any time, make such alterations in the said day or hours as he may deem necessary: provided that at least 24 hours' notice of any intended alteration shall be given to the rate-payer.

XI. Any rate-payer who—

- (a) being supplied with water in respect of any garden, diverts the whole or any portion of such water to any other garden, or uses it for any purpose other than the irrigation of the garden for which it is supplied, or
- (b) wantonly wastes or permits the waste of water supplied to him, or
- (c) omits to give the notice required by Rule IX,

shall, on conviction by a Magistrate, be punishable with a fine which may extend to fifty rupees (H. S. Rs. 50) for each such offence.

XII. The Chairman or any person deputed by him in that behalf may, at any time and without notice, inspect any garden to which water is supplied for any purpose connected with these rules.

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FORM I.

*Application for supply of irrigation water.*

To

THE CHAIRMAN,

LOCAL FUND COMMITTEE,

RESIDENCY BAZARS,

SIR,

I wish to have an irrigation water pipe laid on to my garden which is situated in the Residency Bazars.

2. I request that I may be furnished with information regarding the cost of laying the necessary pipes for the conveyance of water to the garden in question, as well as the monthly rate chargeable for the supply of water.

3. I also request that I may be supplied with a copy of the rules.

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FORM II.

To

THE CHAIRMAN,

LOCAL FUND COMMITTEE,

RESIDENCY BAZARS.

SIR,

With reference to your Memorandum, dated \_\_\_\_\_, I beg to send herewith H.S. Rs. \_\_\_\_\_ (*in words*) being cost of laying water pipes, etc., to my garden as intimated by you.

2. I undertake to pay H. S. Rs. (in words)  
monthly in advance for the supply of water, as soon as intimation is given of the completion of the laying of the pipes to my garden, and to abide by the rules forwarded to me with your memorandum.

FORM III.

TIME TABLE.

*Showing the days of the week and time on which supply of water will be allowed to the undermentioned garden.*

Name of garden.	Week days.	Time.		Remarks.
		From	To	

*Supervisor,  
in charge of Residency Bazars Water Works.*

HYDERABAD RESIDENCY;

Dated 19 .

*Chairman, Local Fund Committee.*

[Hyderabad Residency Orders, 1905, Pt. I, p. 123.]



*Rules to regulate use of Imperial Coronation Garden.*

No. 43, dated the 1st June, 1915.—In exercise of the power conferred on him by section 101 (i) (k) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895,<sup>1</sup> the Resident is pleased to make the following rules to regulate the use of the Imperial Coronation Garden which is situated in the said Bazars:—

- (1) The Garden will be open to the public between the hours of 6 A.M. and 9 P.M. or between such other hours as may from time to time be notified by the Superintendent of the Residency Bazars.
- (2) The tennis court is for the use of members of the tennis club only. Others must not damage the court in any way nor interfere with the play.
- (3) No dogs will be allowed in the garden.
- (4) The public should abstain from throwing about paper and other rubbish in the garden.
- (5) Flowers and plants must not be plucked or damaged.
- (6) Hawking and selling of any kind of commodities is strictly prohibited.
- (7) Cricket and other games likely to damage the grass or interfere with the use of the garden by others, are prohibited.
- (8) Spitting and the performance of ablutions at the taps and fountain are forbidden.
- (9) Any breach of rules 3 to 8 shall be punishable, on conviction by a Magistrate, with a fine which may extend to Rs. 50.

[*Hyderabad Residency Orders*, 1915, Pt. I, p. 98.]

*Rules for the suppression of mendicancy and for the removal of disorderly and otherwise undesirable persons from the Residency Bazars.*

No. 36, dated the 27th August, 1897.—In exercise of the power conferred by section 102 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident at Hyderabad, with the previous sanction of the Governor General in Council, is pleased to make the following rules for the suppression of mendicancy and for the removal and exclusion of certain persons from the Residency Bazars.

*Mendicancy.*

1. No mendicant shall, in any street or public place within the limits of the Hyderabad Residency Bazars, loiter or beg for alms.

*Disorderly persons.*

2. (1) Whenever the Superintendent receives information that any person, whether resident in or frequenting the Hyderabad Residency Bazars,—

(a) is a disorderly person, keeping or frequenting—

(i) a common gaming house,

(ii) a disorderly drinking shop, or

(iii) a disorderly house of any other description, or

(b) has been convicted more than once, either within the Hyderabad Residency Bazars or elsewhere, of an offence against Chapter XVII of the Indian Penal Code, or

(c) has been ordered under the Code of Criminal Procedure, 1882, either within the Hyderabad Residency Bazars or elsewhere, to execute a bond for his good behaviour, he may make an order in writing setting forth the substance of the information received, and issue a summons requiring such person to show cause why he should not be removed and excluded from the Hyderabad Residency Bazars.

(2) Every such summons shall be accompanied by a copy of such order, and such copy shall be delivered by the officer serving the summons to the person served with the same.

(3) The Superintendent shall, when such person appears before him, proceed to enquire into the truth of the information upon which he has acted, and to take such further evidence as may appear necessary; and if upon such enquiry it appears necessary for the maintenance of good order that such person should be removed and excluded from the Hyderabad Residency Bazars, the Superintendent shall issue a notice in writing directing him to remove from the Hyderabad Residency Bazars within a period to be specified in the notice, and prohibiting him from re-entering it without the written permission of the First Assistant<sup>1</sup> Resident to be given on the recommendation of the Superintendent.

<sup>2</sup>3. When any person has under <sup>3</sup>[rule 2 of the] foregoing rules been directed to remove from the Hyderabad Residency Bazars, and has not obtained the written permission mentioned in such rule to re-enter the Hyderabad Residency Bazars, no person who has knowledge of those facts shall harbour or conceal him in the Hyderabad Residency Bazars.

4. (a) Whoever having under rule 2 been prohibited from remaining in or re-entering the Hyderabad Residency Bazars remains in or

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<sup>1</sup> Now designated Secretary to the Resident.

<sup>2</sup> Original rule 3 was cancelled and the succeeding rules re-numbered, by Notification No. 105-J., dated the 13th November, 1926. *Hyderabad Residency Orders*, 1926, Pt. I, p.194.

<sup>3</sup> Substituted by ditto.

re-enters it without the written permission of the First Assistant<sup>1</sup> Resident, or

(b) Commits a breach of rule 1 or 4,

shall be liable to be arrested on a warrant issued by the District Magistrate of the Residency Bazars, and shall be punishable with fine which may extend to fifty rupees or with imprisonment which may extend to eight days.

5. Any member of the Police force employed in the Hyderabad Residency Bazars may arrest without warrant any person committing or charged with having committed an offence punishable under clause (a) or clause (b) of the last foregoing rule:

Provided as follows:—

- (i) No person shall be so arrested whose name and address are known to the arresting officer.
- (ii) No person shall be so arrested who consents to give his or her name and address unless there is reasonable ground for doubting the accuracy of the name or address so given, the burden of proof of which shall be on the arresting officer.
- (iii) No person so arrested shall be detained after his name and address have been ascertained.
- (iv) No person so arrested shall, except under the orders of a Magistrate, be detained longer than may be necessary for bringing him before a Magistrate.

[*Hyderabad Residency Orders*, 1897, Pt. I, p. 145.]

*Secunderabad Cantonment Excise Rules, 1901.*

*Forms for licenses and permits.*

No. 77, dated the 10th December, 1901.—In exercise of the power conferred by rule 4 (I) of the Secunderabad Cantonment Excise Rules, 1901<sup>2</sup>, published under Government of India, Foreign Department, notification No. 3707-I. B., dated the 4th October, 1901, the Resident is pleased to direct that the licenses and passes specified below shall be in the forms hereto attached.

## FORM I.

FORM OF LICENSE FOR THE RETAIL SALE OF COUNTRY LIQUOR OR TARI.

(*Rules 5 and 7 of the Secunderabad Cantonment Excise Rules.*)

License is hereby granted to \_\_\_\_\_, son of \_\_\_\_\_ resident of \_\_\_\_\_, to sell country liquor or tari by retail in his shop at \_\_\_\_\_ from this date up to the \_\_\_\_\_ subject to the provisions of

<sup>1</sup> Now designated Secretary to the Resident.

<sup>2</sup> Printed *supra*, p. 87.

the Secunderabad Cantonment Excise Rules, 1901, and on the following conditions, namely:—

1. That he will keep his shop closed between 9-30 o'clock at night and sunrise on the following morning.

2. That he will take his supplies of liquor from such distillery as the <sup>1</sup>[District] Magistrate may direct, and bring them from the distillery to his shop by such route as the <sup>1</sup>[District] Magistrate may direct, and that such supplies shall not be brought to his shop except under cover of a pass-book or of this license as prescribed by the rules in force.

3. That he will locate his shop in such site as may be approved of by the <sup>1</sup>[District] Magistrate, and shall put up a board in a conspicuous place outside his shop on which the number of the shop and his name and the words " Licensed dealer in country liquor " shall be prominently exhibited in plain and legible characters both in English and in vernacular.

4. That he will not sell more than one ser of country liquor or four sers of tari to any person unless such person holds a special pass for a larger quantity.

5. That, if so required by the <sup>1</sup>[District] Magistrate, he will keep a shop account of supplies of country liquor or tari received and sales of country liquor or tari made by him.

6. That he will not sell country liquor or tari on credit.

7. <sup>2</sup>[That he will not sell any country liquor or tari to any British or Indian soldier in uniform or to any enlisted or enrolled camp follower, and that on the requisition of the <sup>1</sup>[District] Magistrate, he will keep his shop closed so long as the <sup>1</sup>[District] Magistrate may order when troops, whether European or Indian, are on the march in the neighbourhood.]

8. That if he should sublet his shop, he will have the name of the sub-lessee endorsed on this license, and will make this license over to him, and if the locality of the shop be changed, he will produce this license to the <sup>1</sup>[District] Magistrate for the necessary correction in the heading to be made.

9. That he will not sell, or issue for consumption, any country liquor or tari in the consumption of which bad, deleterious, or damaged ingredients have been used, or which is unwholesome and injurious to health.

<sup>1</sup> Substituted by notification No. 20-J., dated the 23rd February, 1925.—*Hyderabad Residency Orders*, 1925, Pt. I, p. 20.

<sup>2</sup> Substituted by notification No. 55-P., dated the 13th June, 1919.—*Hyderabad Residency Orders*, 1919, Pt. I, p. 455.

10. That at the place for which this license is granted no female shall be employed in connection with, or take part in, the vending of liquor in any capacity whatsoever.

A breach of any of these conditions renders the licensee liable to the penalties prescribed by the rules, and on such breach this license may be cancelled.

11. <sup>1</sup>[That he will have, exhibited in a conspicuous place in his shop, a list showing the rates at which country liquor or tari is sold in retail.]

(Signed)

<sup>2</sup>[District] Magistrate.

Date

The attention of the licensee is drawn to Chapter I, rule 3 (d) and (g), Chapter VII, rules 41 and 42 of the Excise Rules, which are quoted below:—

*Rule 3.—(d)* “Liquor” includes spirits of wine, methylated spirits, spirits, wine, tari, beer and all liquid consisting of or containing alcohol

Liquor, not being country liquor, is sold in retail when sold in any quantity not exceeding 2 Imperial gallons, or 12 reputed quart bottles, and when sold in any larger quantity is sold wholesale.

(g) “Country Liquor” includes all liquor produced or manufactured in the territories of His Highness the Nizam of Hyderabad.

*Rule 41.—*Whoever, being the holder of a lease, license, pass, or permit granted under these rules, or being the servant or agent of such holder,—

(a) fails to produce such lease, license, pass, or permit on the demand of any Excise Officer, or

(b) wilfully does, or omits to do, anything in contravention of these rules or of any rules made thereunder, or

(c) commits any act in breach of the conditions of his lease, license, pass, or permit not otherwise provided for by these rules, or

(f) permits drunkenness, riot, or gaming in any shop or place in which any liquor, opium, poppy-heads, or hemp drugs is or are sold or manufactured, or

(g) permits persons of notoriously bad character to meet or remain in any such shop or place or

(h) receives any wearing apparel or other effects in barter, for any liquor, opium poppy-heads, or hemp drugs sold to any person,

shall be punishable with fine which may extend to one hundred rupees.

*Rule 42.—*Whoever, being the holder of a lease or license for the sale or manufacture of liquor, opium, poppy-heads, or hemp drugs under these rules,—

(a) mixes, or permits to be mixed, with the liquor, opium, poppy-heads or hemp drugs sold or manufactured by him any noxious drug or any foreign ingredient likely to add to its actual or apparent intoxicating quality or strength, or any articles prohibited by any rule made under rule 27, clause (f), or

(b) sells, or keeps or exposes for sale, as European or foreign liquor any liquor which he knows or has reason to believe to be country liquor,

shall be punishable with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

<sup>1</sup> Added by notification No. 3, dated the 18th January, 1919 —Hyderabad Private Orders, 1919, Pt. I, p. 8.

<sup>2</sup> See footnote 1 on p. 712.

## FORM II.

FORM OF LICENSE FOR THE RETAIL SALE OF LIQUORS, OTHER THAN COUNTRY LIQUOR, TO BE DRUNK ON THE PREMISES.

(*Rules 5 and 7 of the Secunderabad Cantonment Excise Rules.*)

License for the retail sale of liquor to be drunk on the premises of his public house at \_\_\_\_\_ in the Cantonment of \_\_\_\_\_ is hereby granted to \_\_\_\_\_ for the year ending \_\_\_\_\_ on the following conditions, namely:—

- (1) That the annual fee of Government Rs. 100 payable for this license be paid yearly in advance.
- (2) That a signboard be put up by him in a conspicuous place outside his public house having his name and the words "Licensed to sell liquor to be drunk on the premises" painted on it.
- (3) That no country liquor be mixed with the liquor which he is entitled to sell under this license.
- (4) That no sale be made to any European soldier or enlisted camp follower attached to a British corps except under the written permission of a military officer having authority over such soldier or camp follower, which is to be produced at time of purchase.
- (5) That no sale be made before sunrise or after 9-30 o'clock at night <sup>1</sup>[without the special permission in writing of the District Magistrate].
- (6) That he will, if required to do so by the <sup>2</sup>[District] Magistrate, keep an account of his sales, and will, when required, produce it for the inspection of the <sup>2</sup>[District] Magistrate or any person authorized by the <sup>2</sup>[District] Magistrate to inspect the account.
- (7) That at the place for which this license is granted no female shall be employed in connection with, or take part in, the vending of liquor in any capacity whatsoever.
- (8) This license may be withdrawn on any breach of these conditions or of the rules under which it is granted.

(Signed)

<sup>2</sup>[District] Magistrate.

Date \_\_\_\_\_

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<sup>1</sup> Added by notification No. 112-P., dated the 16th December, 1927.—*Hyderabad Residency Orders*, 1928, Pt. I, p. 2.

<sup>2</sup> Substituted by notification No. 20-J., dated the 23rd February, 1925.—*Hyderabad Residency Orders*, 1925, Pt. I, p. 20.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 715  
under Local Laws.)

The attention of the licensee is drawn to Chapter I, rule 3 (d) and (g), Chapter VII, rules 41 and 42, of the Excise Rules, which are quoted below :—

*Rule 3. (d)* “Liquor” includes spirits of wine, methylated spirits, spirits, wine, tari, beer, and all liquid consisting of or containing alcohol.

Liquor, not being country liquor, is sold in retail when sold in any quantity not exceeding 2 Imperial gallons, or 12 reputed quart bottles, and when sold in any larger quantity is sold wholesale.

(g) “Country Liquor” includes all liquor produced or manufactured in the territories of His Highness the Nizam of Hyderabad.

*Rule 41.*—Whoever, being the holder of a lease, license, pass, or permit granted under these rules, or being the servant or agent of such holder,—

(a) fails to produce such lease, license, pass, or permit on the demand of any Excise Officer, or

(b) wilfully does, or omits to do, anything in contravention of these rules or of any rules made thereunder, or

(c) commits any act in breach of the conditions of his lease, license, pass, or permit not otherwise provided for by these rules, or

(f) permits drunkenness, riot, or gaming in any shop or place in which any liquor, opium, poppy-heads, or hemp drugs is or are sold or manufactured, or

(g) permits persons of notoriously bad character to meet or remain in any such shop or place, or

(h) receives any wearing apparel or other effects in barter for any liquor, opium, poppy-heads, or hemp drugs sold to any person,

shall be punishable with fine which may extend to one hundred rupees.

*Rule 42.*—Whoever, being the holder of a lease or license for the sale or manufacture of liquor, opium, poppy-heads, or hemp drugs under these rules,—

(a) mixes, or permits to be mixed, with the liquor, opium, poppy-heads, or hemp drugs sold or manufactured by him any noxious drug or any foreign ingredient likely to add to its actual or apparent intoxicating quality or strength, or any articles prohibited by any rule made under rule 27, clause (f), or

(b) sells, or keeps or exposes for sale, as European or foreign liquor any liquor which he knows or has reason to believe to be country liquor,

shall be punishable with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

FORM III.

FORM OF LICENSE TO SELL LIQUORS OTHER THAN COUNTRY LIQUOR WHOLE-  
SALE AND RETAIL.

(Rules 5 and 7 of the Secunderabad Cantonment Excise Rules.)

License to sell liquor wholesale and retail, or by auction, in his shop  
at in the Cantonment of Secunderabad is hereby granted to  
for the year ending on the following  
conditions, namely:—

(1) That the annual fee of Government Rs. 100 payable for this  
license be paid yearly in advance.

(2) That a signboard be put up by him in a conspicuous place  
outside his shop having his name and the words “Licensed

dealer in liquor not to be drunk on the premises " painted on it.

- (3) That no country liquor be mixed with the liquor which he is entitled to sell under this license.
- (4) That no sale be made to a European soldier or enlisted camp follower attached to a British corps except under the written permission of a military officer having authority over such soldier or camp follower, which is to be produced at time of purchase.
- (5) That no sale be made before sunrise or after 9-30 o'clock at night <sup>1</sup>[without the special permission in writing of the District Magistrate].
- (6) That he does not permit any bottle of liquor to be opened or any spirits or liquor to be drunk by a customer on the premises of his shop, nor sell to a customer any portion of a bottle of spirits or liquor.
- (7) That he will keep an account of his sales. and will, when required, produce it for the inspection of the <sup>2</sup>[District] Magistrate or of any person authorised by the <sup>2</sup>[District] Magistrate to inspect the account.
- (8) This license may be withdrawn on any breach of these conditions or of the rules under which it is granted.

(Signed)

<sup>2</sup>[District] Magistrate.

Date

The attention of the licensee is drawn to Chapter I, rule 3 (d) and (g), and Chapter VII, rules 41 and 42, of the Excise Rules, which are quoted below:—

*Rule 3. (d)* "Liquor" includes spirits of wine, methylated spirits, spirits, wine, tari, beer and all liquid consisting of or containing alcohol.

Liquor, not being country liquor is sold in retail when sold in any quantity not exceeding 2 Imperial gallons or 12 reputed quart bottles, and when sold in any larger quantity is sold wholesale.

(g) "Country Liquor" includes all liquor produced or manufactured in the territories of His Highness the Nizam of Hyderabad

*Rule 41.*—Whoever, being the holder of a lease, license, pass, or permit granted under these rules, or being the servant or agent of such holder,—

(a) fails to produce such lease, license, pass, or permit on the demand of any Excise Officer, or

(b) wilfully does, or omits to do, anything in contravention of these rules or of any rules made thereunder, or

<sup>1</sup> Added by notification No. 112-P., dated the 16th December, 1927.—*Hyderabad Residency Orders*, 1928, Pt. I, p. 2.

<sup>2</sup> See footnote 1 on page 712 *supra*.



- (c) commits any act in breach of the conditions of his lease, license, pass, or permit not otherwise provided for by these rules, or
  - (f) permits drunkenness, riot, or gaming in any shop or place in which any liquor, opium, poppy-heads, or hemp drugs is or are sold or manufactured, or
  - (g) permits persons of notoriously bad character to meet or remain in any such shop or place, or
  - (h) receives any wearing apparel or other effects in barter, for any liquor, opium, poppy-heads, or hemp drugs sold to any person,
- shall be punishable with fine which may extend to one hundred rupees

*Rule 42.*—Whoever, being the holder of a lease or license for the sale or manufacture of liquor, opium, poppy-heads, or hemp drugs under these rules,—

- (a) mixes, or permits to be mixed, with the liquor, opium, poppy-heads, or hemp drugs sold or manufactured by him any noxious drug or any foreign ingredient likely to add to its actual or apparent intoxicating quality or strength, or any article prohibited by any rule made under rule 27, clause (f), or
  - (b) sells, or keeps or exposes for sale, as European or foreign liquor any liquor which he knows or has reason to believe to be country liquor,
- shall be punishable with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

### <sup>1</sup>FORM III-A.

*(Rules 5 and 7 of the Secunderabad Cantonment Excise Rules.)*

FORM OF LICENSE FOR THE RETAIL SALE OF LIQUORS OTHER THAN COUNTRY LIQUOR AT A MILITARY CANTEN ESTABLISHED UNDER THE "CANTEN TENANT SYSTEM."

License is hereby granted to \_\_\_\_\_ holder of a contract for the supply of liquors other than country liquor under the "canteen tenant system."

It is required of the holder of this license as a condition of its remaining in force that he do faithfully perform and abide by the following conditions:—

- I. That he pay to Government in advance an annual fee of British Government Rs.\*
- II. That he do not sell any country liquor under colour of this license.
- III. That he effect his sales of liquors only at the canteen or place appointed for the purpose by the military authorities and that he do not sell liquors at any other place or establish a second place of vend without another separate license.

*N.B.*—Tenants are allowed to establish a second place of vend without taking a separate license in cases where a portion of a regiment is detached for training and other purposes or is left behind.

<sup>1</sup> Inserted by notification No. 47, dated the 15th June, 1914.—*Hyderabad Residency Orders*, 1914, Pt. I, p. 45.

\* (1) For regiments Rs. 24.

(2) For smaller units Rs. 12.

- IV. That he do not store any liquors to be sold under this license in any premises other than those endorsed on the back of the license.
- V. That he sell no liquor of any description to persons other than those attached to the regiment for which this license is granted or duly authorised under the regulations of the Army to use such canteen.
- VI. That he do not transfer his license to any other person without the previous sanction of the undersigned.
- VII. That he do not wilfully adulterate or deteriorate any liquors sold by him, or sell the same knowing them to have been adulterated or deteriorated, or store or permit to be stored in his canteen any such liquor in an adulterated or deteriorated state.

*N.B*—Tenants are permitted to store and sell spirituous liquor diluted with mineral water with the permission of the General Officer Commanding.

- VIII. That he do not rectify any spirits by purifying, colouring or flavouring them, or mixing any material with them.
- IX. That he sell no imported and locally made foreign spirits below the minimum strengths of 25° under proof for whisky, brandy, and rum and 35° under proof for gin.
- X. That he do not receive any wearing apparel or other effects in barter for any excisable article the sale of which is covered by this license.
- XI. That he at once produce for inspection on demand of any Excise Officer specially or generally authorised by the Resident in this behalf this license and his accounts and that he do not prevent any Excise Officer of whatever grade from inspecting his canteen.

*N.B*—A violation of any of the above conditions will render the holder liable to any of the penalties prescribed by the Secunderabad Excise Rules in force for the time being.

<sup>1</sup>[District] Magistrate.

Dated the 19 .

*Places for storing.*

The holder of this license is authorised to store the liquors to be sold under the license at \_\_\_\_\_ in the \_\_\_\_\_ from \_\_\_\_\_ to the \_\_\_\_\_

<sup>1</sup>[District] Magistrate.

Dated the 19 .

<sup>1</sup> See footnote 1 on page 712, *supra*.

The holder of this license is authorised to store the liquors to be sold  
under the license at \_\_\_\_\_ in the \_\_\_\_\_ from \_\_\_\_\_  
to the \_\_\_\_\_

<sup>1</sup>[District] Magistrate.

#### FORM IV.

FORM OF PERMIT FOR THE POSSESSION OR IMPORT OR EXPORT OR TRANSPORT,  
OF COUNTRY LIQUOR OR TARI.

(Rules 8, 9 and 30 of the Secunderabad Cantonment Excise Rules.)

Counterfoil.

- |  |   |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
|--|---|----------------------|----------------------|----------------------|--------|-----------|--|---------|---------------------|----------------------|--------|--------|-----------|
| 1. Name of the person to whom the permit is granted _____, son of _____  | 1. Name of the person to whom the permit is granted _____, son of _____ |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
| 2. Date of granting _____  | 2. Date of granting _____   |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
| 3. Permission is granted to holder of this permit to   | 3. Permission is granted to holder of this permit to                    |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
| <table border="0"> <tr> <td>Possess</td> <td rowspan="4">} Country liquor or</td> <td rowspan="4">} tari not exceeding</td> </tr> <tr> <td>Import</td> </tr> <tr> <td>Export</td> </tr> <tr> <td>Transport</td> </tr> </table> | Possess   | } Country liquor or  | } tari not exceeding | Import               | Export | Transport | <table border="0"> <tr> <td>Possess</td> <td rowspan="4">} Country liquor or</td> <td rowspan="4">} tari not exceeding</td> </tr> <tr> <td>Import</td> </tr> <tr> <td>Export</td> </tr> <tr> <td>Transport</td> </tr> </table> | Possess | } Country liquor or | } tari not exceeding | Import | Export | Transport |
| Possess  | } Country liquor or   |                      |                      | } tari not exceeding |        |           |  |         |                     |                      |        |        |           |
| Import   |   |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
| Export   |   |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
| Transport  |   |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
| Possess  | } Country liquor or   | } tari not exceeding |                      |                      |        |           |  |         |                     |                      |        |        |           |
| Import   |   |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
| Export   |   |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
| Transport  |   |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
| 4. Signature or mark of the person granting the permit   | 4. Signature or mark of the person granting the permit                  |                      |                      |                      |        |           |  |         |                     |                      |        |        |           |
- This permit is not valid beyond the seventh day following that of its being granted.

#### FORM V.

FORM OF PERMIT FOR THE IMPORT OR EXPORT OF OPIUM, POPPY-HEADS, OR  
HEMP DRUGS.

(Rules 92, 22 and 23 of the Secunderabad Cantonment Excise Rules.)

Permission is hereby given to \_\_\_\_\_, son of \_\_\_\_\_ (holding  
a license under rule 16, or rule 17, or rule 25, as the case may be) to  
bring, or cause to be brought, into, or to export from, the Cantonment of  
Secunderabad \_\_\_\_\_ opium, poppy-heads, or hemp drugs not  
exceeding \_\_\_\_\_ in weight.

Rule to be followed.

This permission to remain in force only up to the \_\_\_\_\_

(Signed)

<sup>1</sup>[District] Magistrate.

Date \_\_\_\_\_

<sup>1</sup> See footnote 1 on page 712, *supra*.

The attention of the holder of this permit is drawn to Chapter IV, rule 12, and Chapter V, rules 22 and 23, of the Excise Rules, which are quoted below:—

*Rule 12* (1) Opium, other than preparations or admixtures of opium used for smoking and poppy-heads may be imported by any person holding a lease or license under rule 16 or 17, or by a licensed druggist, under the authority and subject to the terms and conditions of a permit obtained from the 'Cantonment Magistrate.

(2) Opium imported under sub-rule (1) shall be immediately taken, with bulk unbroken, before the District Superintendent of Police to be weighed and examined.

(3) If on examination the District Superintendent of Police is satisfied that the opium corresponds with the permit authorizing its imports, he shall allow the importer,—

(a) If he is a wholesale vendor of opium, to store it at such warehouse or warehouses as may have been appointed by the Superintendent of Police with the approval of the 'Cantonment Magistrate; and,

(b) if he is a licensed vendor of opium or a licensed druggist, to take it to the shop or shops at which he may have been authorized to sell it.

(4) If the opium is found not to correspond with the permit authorizing its import, it shall be liable to be treated as opium imported in contravention of these rules.

*Rule 22* (1) The import of hemp drugs is prohibited except by a person licensed to sell the same under rule 25, and subject to the following conditions, namely.—

(a) that importer obtains a permit in that behalf from the 'Cantonment Magistrate,

(b) that the import is from the place and by the route specified in such permit and in accordance with any further condition therein laid down; and

(c) that on arrival of the hemp drugs at their destination they are immediately taken, with bulk unbroken, before the District Superintendent of Police to be weighed and examined

(2) If on examination the District Superintendent of Police is satisfied that the drugs correspond with the permit authorizing their import, he shall allow them to be taken to the shop at which they may have been authorized to be sold.

(3) If the drugs are found not to correspond with the permit authorizing their import, they shall be liable to be treated as drugs imported in contravention of these rules.

*Rule 23.*—The export of hemp drugs is prohibited except under the authority and subject to the terms and conditions of permit granted by an officer duly empowered in that behalf.

## FORM VI.

### FORM OF WHOLESALE VENDOR'S LICENSE FOR THE POSSESSION AND SALE OF OPIUM AND POPPY-HEADS.

(*Rules 14, 15 and 16 of the Secunderabad Cantonment Excise Rules.*)

License is hereby given to \_\_\_\_\_, son of \_\_\_\_\_, resident of \_\_\_\_\_, to possess opium, other than preparations or admixtures of opium used for smoking, and poppy-heads in excess of the quantity prescribed in rule 14 of the Secunderabad Cantonment Excise Rules, 1901, and to sell such opium and poppy-heads to persons holding similar licenses, and to licensed vendors of opium.

<sup>1</sup> For the words "Cantonment Magistrate" the words "District Magistrate" have been substituted in the Rules quoted.

This license will remain in force from the \_\_\_\_\_ to the  
31st March 19 \_\_\_\_.

(Signed)

<sup>1</sup>[District] Magistrate.

Dated \_\_\_\_\_

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FORM VII.

FORM OF LICENSED VENDOR'S LICENSE FOR SALE OF OPIUM, POPPY-HEADS,  
OR HEMP DRUGS.

(Rules 27 and 25 of the Secunderabad Cantonment Excise Rules.)

License is hereby granted to \_\_\_\_\_, son of \_\_\_\_\_,  
resident of \_\_\_\_\_, to possess opium, other than preparations  
or admixtures of opium used for smoking, poppy-heads, or hemp drugs in  
excess of the quantity prescribed in rules 14 and 26 of the Secunderabad  
Cantonment Excise Rules, 1901; to sell such opium, poppy-heads, or  
hemp drugs in any quantity to other persons holding similar licenses,  
or, in the case of opium and poppy-heads, to wholesale vendors in opium,  
and to sell to any other persons opium, other than preparations or admix-  
tures of opium used for smoking, and poppy-heads or hemp drugs by  
retail in his shop at \_\_\_\_\_ from this date up to the \_\_\_\_\_,  
subject to the provisions of the Secunderabad Cantonment Excise Rules,  
1901, and on the following conditions:—

1. That he will keep his shop closed between <sup>2</sup>[7 P.M.] and sunrise on  
the following morning.

2. That he will locate his shop on such site as may be approved of by  
the <sup>1</sup>[District] Magistrate, and shall put up in a conspicuous place out-  
side his shop a board on which the number of the shop and his name shall  
be prominently exhibited in plain and legible characters both in English  
and in Vernacular.

3. That he will not sell more than five sers of poppy-heads and  
[three]<sup>2</sup> tolas of opium other than preparations or admixtures of opium  
used for smoking, or more than five tolas or ganja or charas or any pre-  
paration or admixture thereof, and one ser of bhang or any preparation  
or admixture thereof to any person unless such person holds a similar  
license, or a wholesale vendor's license, or special pass, for a larger  
quantity.

4. That, if so required by the <sup>1</sup>[District] Magistrate, he will keep a  
shop account of supplies of opium or poppy-heads or hemp drugs receiv-  
ed and sales made.

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<sup>1</sup> See footnote 1 on page 712, *supra*.

<sup>2</sup> Substituted by notification No. 31, dated the 9th April, 1918.—*Hyderabad Resi-  
dency Orders*, 1918, Pt. I, p. 83.

5. That he will not sell opium, poppy-heads, or hemp drugs on credit [or to any person below 15 years]<sup>1</sup>

6. That if he should sublet his shop, he will have the name of the sub-lessee endorsed on this license and on the shop board, and will make this license over to him.

7. That he shall allow no one but the members of his own family or his servants to sleep in his shop at night.

8. That he shall not permit drunkenness, riot, or gaming in his shop, nor shall he permit the consumption of any intoxicating drug or its preparation in any form on the premises, nor shall he permit persons of notoriously bad character to meet and remain there, nor shall he receive any wearing apparel or household effects in barter or as a pledge for the payment of intoxicating drugs supplied.

9. That he shall produce for inspection his license on the demand of an Excise Officer.

10. That at the place for which this license is granted no female shall be employed in connection with, or take part in, the vending of opium, poppy-heads, or hemp drugs in any capacity whatsoever.

A breach of any of these conditions or of any of the rules under which this license is granted renders the licensee liable to the penalties prescribed by the rules, and on such breach this license may be cancelled.

(Signed)

<sup>2</sup>[District] Magistrate.

Dated

## FORM VIII.

### FORM OF PERMIT FOR THE POSSESSION OF HEMP DRUGS.

(Rule 26 of the Secunderabad Cantonment Excise Rules.)

Counterfoil.

- |  |  |
|--|--|
| 1. Name of the person to whom the permit is granted , son of | 1. Name of the person to whom the permit is granted , son of |
| 2. Date of granting  | 2. Date of granting  |
| 3. Quantity possession of which is allowed sers tolas.       | 3. Quantity possession of which is allowed sers tolas.       |
| 4. Period for which this permit holds good.                  | 4. Period for which this permit holds good.                  |
| 5. Signature or mark of the person granting the permit.      | 5. Signature or mark of the person granting the permit       |

[Hyderabad Residency Orders, 1901<sup>3</sup>, Pt. I, p. 370.]

<sup>1</sup> Added by notification No. 31, dated 9th April, 1918. Hyderabad Residency Orders, 1918, Pt. I, p. 83.

<sup>2</sup> See footnote 1 on page 712, *supra*.

<sup>3</sup> Printed *supra*, p. 87.

*Officers empowered to grant permits and a general pass to the Abkari Contractor for Secunderabad.*

No. 22, dated the 18th March, 1911.—In exercise of the power conferred by rule 4 (1) of the Secunderabad Cantonment Excise Rules, 1901<sup>1</sup>, the Resident is pleased to empower—

- (1) all Excise Officers (which expression includes the Police officers mentioned in *Residency Orders* notification No. 77, dated the 26th August 1904), the Abkari Inspector and Sub-Inspector of His Highness the Nizam's Government appointed within the Cantonment of Secunderabad (including Bolarum), and the wholesale Contractor of His Highness' Government for the said Cantonment to issue permits under rule 8 of the Secunderabad Excise Rules for the possession and transport of any quantity of country liquor exceeding one seer or of *tari* exceeding four seers.
- (2) the <sup>2</sup>[District] Magistrate of Secunderabad to grant the Abkari Contractor of His Highness' Government for the said Cantonment a general pass, extending both to himself and his agents, for the import and export of country liquor or *tari* into and from the Cantonment of Secunderabad under rules 9 and 10 of the said rules.
- (3) the <sup>2</sup>[District] Magistrate of Secunderabad to grant permits under rules 23 and 26 of the said rules for the export and possession of hemp drugs.

[*Hyderabad Residency Orders*, 1911, Pt. I, p. 94.]

*Exemption of certain medicinal preparations from the operation of the Rules.*

<sup>3</sup>No. 61-P., dated the 17th November, 1922.—Not re-printed.

[*Hyderabad Residency Orders*, 1922, Pt. I, p. 137.]

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<sup>1</sup> Printed *supra*, p. 87.

<sup>2</sup> Substituted by notification No. 21-J., dated the 23rd February, 1925.—*Hyderabad Residency Orders*, 1925, Pt. I, p. 22.

<sup>3</sup> This notification has been amended by the following notifications:—

No. 39-P., dated the 9th July, 1923.—*Hyderabad Residency Orders*, 1923, Pt. I, p. 92.

No. 43-P., dated the 30th July, 1923.—*Hyderabad Residency Orders*, 1923, Pt. I, p. 101.

No. 40, dated the 17th June, 1924.—*Hyderabad Residency Orders*, 1924, Pt. I, p. 124.

No. 2-P., dated the 3rd January, 1925.—*Hyderabad Residency Orders*, 1925, Pt. I, p. 7.

No. 22-P., dated the 8th March, 1926.—*Hyderabad Residency Orders*, 1926, Pt. I, p. 36.

*District Magistrate empowered to dispose of confiscated articles.*

No 22-J., dated the 23rd February, 1925.—In exercise of the power conferred by rule 27 (g) of the Secunderabad Cantonment Excise Rules, 1901,<sup>1</sup> and in supersession of *Residency Orders* Notification No. 23, dated the 18th March, 1911, the Resident is pleased to empower the District Magistrate to dispose of all articles confiscated under the said rules.

[*Hyderabad Residency Orders*, 1925, Pt. I, p. 22.]

*Abkari officers of the Nizam's Government empowered under rules 32 and 33 in Secunderabad Cantonment.*

No. 29, dated the 3rd April, 1911.—In supersession of *Residency Orders* notification No. 110, dated the 18th November, 1910, it is hereby notified that under rule 28 of the Secunderabad Cantonment Excise Rules of 1901<sup>1</sup> the following Abkari officers of His Highness the Nizam's Government have been appointed Excise officers in the Cantonment of Secunderabad (including Bolarum) with powers under rules 32 and 33 of the said Rules:—

- (1) The Abkari Talukdar City and Cantonments.
- (2) The Abkari Inspector at Secunderabad.
- (3) The Abkari Sub-Inspector at Secunderabad.

[*Hyderabad Residency Orders*, 1911, Pt. I, p. 99.]

*Abkari Inspector, Aurungabad City, empowered under rules 32 and 33 in Aurungabad Cantonment.*

No. 48-P., dated the 28th April, 1920.—It is hereby notified that under rule 28 of the Secunderabad Cantonment Excise Rules, 1901,<sup>1</sup> the Abkari Inspector of the City of Aurungabad has been appointed as an Excise Officer in the Cantonment of Aurungabad, with powers under rules 32 and 33 of the said Rules.

[*Hyderabad Residency Orders*, 1920, Pt. I, p. 144.]

*Police officers Secunderabad Cantonment, empowered to detain and arrest persons, seize articles and search places*

No. 77, dated the 26th August, 1904.—In exercise of the powers conferred by rule 39 (1), clauses (a) and (b), of the Secunderabad Cantonment Excise Rules, 1901<sup>1</sup>, the Resident is pleased to invest the following

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<sup>1</sup> Printed *supra*, page 87.



Police officers of the Secunderabad Cantonment Police with the powers specified against them—

The District Superintendent, the Powers under rules 32 and  
Inspector and officers in charge of 33.  
Police stations, and all Police  
officers of or above the rank of  
Head Constable, 1st grade.

All Police officers of whatever Powers under rule 31.  
rank.

[*Hyderabad Residency Orders*, 1904, Pt. I, p. 184.]

*Police officers, Aurangabad Cantonment, similarly empowered.*

No. 75, dated the 2nd December, 1913.—In exercise of the powers conferred by rule 39 (1), clauses (a) and (b), of the Secunderabad Cantonment Excise Rules, 1901,<sup>1</sup> the Resident is pleased to invest the following police officers of the Aurangabad Cantonment Police with the powers specified against them:—

The District Superintendent, the Powers under rules 32 and  
Inspector and officers in charge of 33.  
Stations (and all police officers of  
or above the rank of Head Con-  
stable, 1st grade).

All police officers of whatever Powers under rule 31.  
rank.

[*Hyderabad Residency Orders*, 1913, Pt. I, p. 113.]

HYDERABAD (RAILWAY LANDS) OPIUM RULES, 1903.

*Exemption of certain medicinal preparations from the operation of the Rules.*

<sup>2</sup>No. 61-P., dated the 17th November, 1922.—Not re-printed.

[*Hyderabad Residency Orders*, 1922, Pt. I, p. 137.]

*Disposal of confiscated articles.*

No. 26, dated the 8th May, 1903.—With reference to rule 12 (I) (a) of the Hyderabad (Railway Lands) Opium Rules, 1903,<sup>3</sup> published with

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<sup>1</sup> Printed *supra*, page 87.

<sup>2</sup> See footnote 3 on page 723.

<sup>3</sup> Printed *supra*, page 105.

notification of the Government of India in the Foreign Department, No. 698-I. B., dated the 13th February, 1903, the Resident is pleased to make the following rules for the disposal of all things confiscated, other than poppy, opium, and poppy-heads within such lands in His Highness the Nizam's territories (other than the Railway lands in the Hyderabad Assigned Districts and those referred to in the 'notifications of the Government of India in the Foreign Department, No. 4564-I., dated the 18th November, 1891, and No. 3244-I. B., dated the 26th August, 1897, but including those which are, or hereafter may be, occupied by the Hyderabad-Godaveri Valley Railway) as are, or may hereafter be, occupied by railways (including the lands occupied as stations, out-buildings, and for other railway purposes) over which power and jurisdiction have been ceded to the British Government:—

1. All things confiscated under the Hyderabad (Railway Lands) Opium Rules, 1903, except poppy, poppy-heads and opium, shall be disposed of by public auction under the orders of the District Magistrate for Railways.

\* \* \* \* \*

[Hyderabad Residency Orders, 1903, Pt. I, p. 142.]

*Payment of rewards out of proceeds of fines and confiscations.*

No. 27, dated the 8th May, 1903.—With reference to rule 12 (1) (b) of the Hyderabad (Railway Lands) Opium Rules, 1903,<sup>1</sup> published with notification of the Government of India in the Foreign Department, No. 698-I. B., dated the 13th February, 1903, the Resident is pleased to make the following rules regarding the rewards to be paid to officers and informers out of the proceeds of fines and confiscations within such lands in His Highness the Nizam's territories (other than the Railway lands in the Hyderabad Assigned Districts and those referred to in the 'notifications of the Government of India in the Foreign Department, No. 4364-I., dated the 18th November, 1891, and No. 3244-I. B., dated the 26th August, 1897, but including those which are, or hereafter may be, occupied by the Hyderabad-Godaveri Valley Railway) as are, or may hereafter be, occupied by railways (including the lands occupied as stations, out-buildings, and for other railway purposes) over which power and jurisdiction have been ceded to the British Government:—

1. A Magistrate convicting an offender under rule 18 of the Hyderabad (Railway Lands) Opium Rules, 1903, may award to any person who has contributed in any way to the conviction the whole or any portion

<sup>1</sup> See now notification No. 778-I B., dated the 9th April, 1913. Printed Volume VIII, Western Division, A.

<sup>2</sup> Cancelled by notification No. 52, dated the 11th July, 1905. *Hyderabad Residency Orders*, 1905, Pt. I, page 126.

<sup>3</sup> Printed *supra*, page 105.

of any fine imposed upon the offender and paid by him or realised from his property.

2. If the fine is not realised, or only realised in part, the Magistrate may, within a limit of the hundred rupees, order payment of its full amount or of the unrealised balance, as the case may be, out of the treasury.

3. If the Magistrate is of opinion that a larger reward than he can give under this rule to a person who has contributed to the conviction ought to be given to that person, he may move the Resident through the District Magistrate for Railways to grant a larger reward.

[*Hyderabad Residency Orders*, 1903, Pt. I, p. 142.]

#### HYDERABAD RESIDENCY BAZARS AND CANTONMENTS ARMS LAW, 1903.

##### *The Hyderabad Residency Arms Rules, 1929.*

No. 423-G., dated the 18th June, 1929.—In exercise of the powers conferred by sections 3, 11 and 21 of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903,<sup>1</sup> and in supersession of the notification of the Government of India in the Foreign and Political Department, No. 2071-G., dated the 27th December, 1921, the Governor General in Council is pleased to make the following rules:—

1. *Short title.*—(1) These Rules may be called the Hyderabad Residency Arms Rules, 1929.

(2) They shall come into force on the 1st July, 1929.

2. *Interpretation.*—(1) In these rules, unless there is anything repugnant in the subject or context,—

“Form” means a form as set out in Schedule III;

“the Law” means the Hyderabad Residency Bazars and Cantonment Arms Law, 1903; and “the Resident” means the Resident at Hyderabad.

(2) The General Clauses Act, 1897 (X of 1897), as applied to the Hyderabad Residency Bazars and the Cantonments of Secunderabad and Aurangabad, shall apply for the purpose of the interpretation of these rules in like manner as it applies for the purpose of the interpretation of an Act of the Governor General in Council as applied to the aforesaid areas.

##### *Application of the Law.*

3. *Exemption, exclusion and withdrawal.*—(1) The persons and classes of persons and the arms and ammunition specified or described in Schedules I and II are, respectively, exempted and excluded to the extent and subject to the conditions therein specified from the operation of prohibitions and directions contained in the Law:

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<sup>1</sup> Printed *supra*, page 114.

Provided that the exemptions specified in Schedule I are made subject to the following conditions, namely:—

- (a) they shall not be deemed to render lawful the bringing of arms or ammunition through the medium of the Post Office into the areas to which these rules apply from the areas of the Hyderabad State directly administered by His Exalted Highness the Nizam;
- (b) any person so exempted may be required by any general or special order in writing of the Resident to register in such manner as may be specified in the order any firearm or ammunition for the same in respect of which he is exempted from the operation of any provision of the Law;
- (c) every person shall, on the loss or theft of any arm in respect of which he is so exempted, forthwith report the occurrence at the nearest police station; and
- (d) the Governor General in Council may, by notification in the *Gazette of India*, direct that any such exemption conferred on a class of persons shall cease to extend to any person included in that class who may be named in the notification, and the Resident may, by notification in the Hyderabad Residency Orders, exercise the like power in respect of any person included in the class described in the third entry of the said Schedule.

(2) Any person failing to comply with any condition of exemption set out in provisos (b) and (c) to sub-rule (1) shall be deemed to have violated these rules.

#### *Import.*

4. *Import from British India.*—For the purposes of the import of arms, ammunition or military stores from British India, a copy of the export licence granted under the Indian Arms Rules, 1924, shall be deemed to be an import licence under section 5 of the Law.

#### *Export.*

5. *Export to British India.*—For the purposes of export to British India a copy of the import licence issued under the Indian Arms Rules, 1924, shall be deemed to be an export licence under section 5 of the Law.

#### *Manufacture and Sale.*

6. *Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores.*—(1) A licence—

- (a) in Form I to manufacture, convert, sell or keep for sale, or
- (b) in Form II to sell and keep for sale, any arms, ammunition, or military stores (other than breech-loading rifles, parts

of breech-loading rifles, rifle ammunition, and military stores for rifles) may be granted by the District Magistrate or any other Officer empowered by the Resident in this behalf:

Provided that no such licence shall be granted in respect of pistols or revolvers of .441, .455 or any intermediate bore or of ammunition which can be fired from such pistols or revolvers.

(2) A licence—

- (a) in Form III to manufacture, convert, sell, or keep for sale, or
- (b) in Form IV to sell or keep for sale breech-loading rifles, parts of breech-loading rifles, rifle ammunition or military stores for rifles may be granted by the Resident:

Provided that no such licence shall be granted in respect of rifles of .303 or of .450 bore, or of ammunition which can be fired from such rifles.

(3) Every Magistrate and every police officer not below the rank of Sub-Inspector may, within the local limits of his authority:—

- (a) enter and inspect any premises in which arms, ammunition or military stores including sulphur are manufactured, converted, sold, or kept for sale, and
- (b) examine the stock and accounts of receipts and sales of arms, ammunition or military stores.

#### *Keeping for safe custody.*

7. *Keeping for safe custody.*—A licence to keep for safe custody fire-arms and ammunition deposited by their owners for that purpose may be granted in Form V to any holder of a licence in Form I, II, III or IV by the District Magistrate or any other Officer empowered by the Resident in this behalf.

#### *Possession.*

8. *Restriction upon possession of cannon and certain other articles.*—No licence shall be granted for the possession of—

- (a) cannon,
- (b) articles designed for torpedo service,
- (c) war-rockets, or
- (d) machinery for the manufacture of arms or ammunition.

9. *Possession of arms, ammunition or military stores.*—Save as otherwise provided by rule 8, a licence for the possession only of arms

(other than pistols or revolvers), ammunition or military stores may be granted in Form VI by the District Magistrate or any other Officer empowered by the Resident in this behalf.

10. *Possession and use of firearms for purposes of target practice.*—A licence for the possession and use of firearms for the purposes of target practice, by the members of any military mess or of any club or association may, with the sanction of the Resident, be granted in Form VII in the name of the mess, club or association by the District Magistrate or any other Officer empowered by the Resident in this behalf.

*Possession and going armed.*

11. *Possession of arms and ammunition and going armed for sport, protection or display.*—Save as otherwise provided by rule 8, a licence for the possession of arms and ammunition in reasonable quantities, and for going armed for the purposes of sport, protection or display, may be granted in Form VIII by the District Magistrate or any Officer empowered by the Resident in this behalf:

Provided that:—

- (i) no licence shall be granted for the possession of such rifles, pistols or revolvers, or ammunition as are described in the provisos to sub-rules (1) and (2) of rule 6, unless such rifles, pistols or revolvers, or ammunition, as the case may be, have been lawfully imported into the areas to which these Rules apply; and
- (ii) no licence shall be granted in respect of balled ammunition for any rifle or pistol or revolver of the description set forth in the provisos to sub-rules (1) and (2) of rule 6, unless the authority granting the licence is satisfied that the rifle is lawfully possessed by the owner thereof for sporting purposes, or that the pistol or revolver has been lawfully imported into the areas to which these Rules apply and the amount of balled ammunition which the licensee may possess during the period of twelve months next ensuing shall be entered in the licence.

12. *Validity of licence granted for British India.*—A licence granted under rule 33 of the Indian Arms Rules, 1924, may, on countersignature by the District Magistrate or any other Officer empowered by the Resident in this behalf, be made valid within the areas to which these Rules apply or within any part thereof subject to any restrictions which may be imposed by general or special order of the Resident.

*Application for and grant of licences.*

13. *Applications for licences.*—Every person who wishes to obtain a licence under these rules shall apply in writing, through the medium of the Post Office or otherwise at his option, to the nearest authority empowered to grant such licence and shall in such application furnish all such particulars as may be necessary to enable such licence to be granted.

14. *Form and language of licences.*—(1) Every licence shall be granted or renewed in the appropriate Form and subject to the conditions set forth in such Form, and, save as therein otherwise expressly provided, the arms, ammunition, or military stores specified and the persons named in the licence shall alone be covered thereby.

(2) Every such licence shall be written or printed in English.

15. *Duration and renewal of licences.*—(1) Save as herein otherwise provided, every licence under these Rules shall, unless previously cancelled, be in force for such period and expire on such day, as, subject to any restrictions or limitations provided in the appropriate Form, the authority granting it may enter thereon.

(2) Every licence granted under these Rules may at its expiration be renewed by the authority who granted it, or by any other authority empowered to grant a licence of the description in question:

Provided as follows—

(a) licences in Form III and Form IV may, where the Resident so directs, be renewed by the District Magistrate; and

(b) where a licence is renewed by an authority other than the authority who granted it, the former shall forthwith inform the latter of the fact of renewal and the period for which such renewal is valid.

16. *Discretion and control of authorities empowered to grant licences.*—(1) Every authority empowered to grant or renew a licence may in his discretion (a) refuse to grant or renew such licence, or

(b) where the authority is subordinate to the Resident, refer the application for orders to the Resident:

Provided that in any case in which such authority, other than the Resident, refuses to grant or renew a licence, the applicant for such grant or renewal may appeal to the Resident, whose decision shall be final.

(2) Every such authority shall exercise all powers and perform all duties conferred or imposed by these rules, subject to the control of the Resident.

17. *Obligation to produce licences.*—(1) Any person who—

(a) holds a licence granted or renewed under these rules, or

(b) is acting under colour of such a licence,

shall forthwith produce such licence upon the demand of any Magistrate or of any police officer of a rank not below that of an officer in charge of a police station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a licence to grant or renew it upon any condition, not inconsistent with that sub-rule, with respect to the production of such licence.

18. *Production of arms.*—The authority by whom any licence has been granted under these rules, or by whom any such licence has been renewed under sub-rule (2) of rule 15 may, for the purpose of satisfying himself that any arms covered by such licence are still in the possession of the licensee, at any time while the licence is in force, by order in writing require the licensee to produce the arms at such time and place and for the inspection of such person as may be specified in the order.

#### *Fees.*

19. *Fees payable for licences.*—(1) Every licence granted or renewed under these rules shall, save as herein otherwise expressly provided, be chargeable with the fee (if any) indicated in the Form in which it is granted or renewed.

(2) The Governor General in Council may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any licence issued under these rules.

(3) No fee shall be chargeable in respect of the grant or renewal of any licence in Form VIII to any member of any of the classes of persons specified in the first column of Schedule VII to the Indian Arms Rules, 1924, for possession of and going armed with the arms and ammunition specified in corresponding entry in the second column thereof:

Provided that, if application for renewal is not made within one month after the date on which the licence expires, the licensing authority may, in its discretion, levy renewal fees at the rates specified in Form VIII.

20. *Fees payable for duplicates.*—Where a licence granted or renewed under these Rules is lost or accidentally destroyed, the authority empowered to grant such licence may grant a duplicate—

(a) where the original licence was granted without the payment of any fee, free of all fee; or

(b) in any other case, on payment of a fee of one rupee, or of the fee with which the original licence was chargeable, whichever is less.



ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 733  
under Local Laws.)

21. *Collection and refund of fees.*—(1) All fees payable under rules 19 and 20 shall be paid by means of non-judicial stamps or in cash at the option of the applicant.

(2) Where a fee of not less than one rupee payable under these Rules has been realised and the application for the grant or renewal of a licence or duplicate is refused, the value of the fee shall be refunded upon application for the same being made within two months after the date of such refusal.

*Savings.*

22. *Savings.*—All exemptions, exclusions and withdrawals made, all licences or duplicates granted or renewed, all fees imposed, levied, remitted, or reduced, and all powers conferred by or under the Hyderabad Residency Arms Rules, 1921, shall, so far as they are consistent with these Rules, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced or conferred hereunder.

SCHEDULE I.

PERSONS EXEMPTED.

(See Rule 3.)

The persons or classes of persons specified or described in the first column of the subjoined table are, subject to the provisions of provisos (b) and (c) to rule 3 (1), exempted in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Law as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

*The Table.*

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
1. All persons and classes of persons who in British India are exempted from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878 (XI of 1878).	Those in respect of which the persons in question are exempted in British India.	The arms or ammunition carried or possessed by any person herein exempted shall be of such description only and shall not exceed such quantities, if any, as the Resident may declare to be reasonable for such person to carry or possess.	Those contained in sections 8 and 9:

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Persons or classes of persons.	Arms and ammunition	Provisos and restrictions.	Prohibitions and directions.
<p>2. (a) The following Nobles and high officials of the Hyderabad State, namely —</p> <p>(i) Maharaja Peshkar Sir Kishen Parahad Bahadur, G C I E, Yamun-us-Saltan-at.</p> <p>(ii) Nawab Fakhr-ul-Mulk Bahadur</p> <p>(iii) Nawab Khan-i-Khanan Bahadur</p> <p>(iv) Nawab Salar Jang Bahadur</p> <p>(v) Nawab Moin-ud-Daula Bahadur.</p> <p>(vi) Nawab Wali-ud-Daula Bahadur.</p> <p>(vii) Nawab Tilawat Jang Bahadur.</p> <p>(viii) Nawab Lutf-ud-Daula Bahadur</p> <p>(ix) Nawab Bahram-ud-Daula Bahadur.</p> <p>(x) The President, H. E. H. the Nizam's Executive Council.</p> <p>(xi) The Sadr-ul-Maham, Army Department, Executive Council</p> <p>(xii) The Sadr-ul-Maham, Public Works Department, Executive Council.</p> <p>(xiii) The Sadr-ul-Maham, Political Department, Executive Council.</p> <p>(xiv) The Sadr-ul-Maham, Finance Department, Executive Council.</p> <p>(xv) The Sadr-ul-Maham, Revenue Department, Executive Council.</p> <p>(xvi) The Sadr-ul-Maham, Industries and Commerce Department, Executive Council.</p> <p>(xvii) The Sadr-ul-Maham, Judicial Department, Executive Council</p> <p>(xviii) The Sadr-ul-Maham, H. E. H. the Nizam's Peshi.</p> <p>(xix) The Sadr-ul-Maham, H. E. H. the Nizam's Sarf-i-Khas Department.</p> <p>(b) The retainers of the above in such numbers as may be approved by the Resident.</p> <p>3. All subjects of His Exalted Highness the Nizam not permanently residing in the areas to which these Rules apply.</p>	<p>All except—</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service,</p> <p>(c) war-rockets,</p> <p>(d) rifles of 303 or of 450 bore or of any other bore containing the following components capable of use in rifles of 303 or of 450 bore, namely, actions, breech blocks, breech bolts, bodies, magazine cases, cocking pieces and breech bolt heads, and pistols or revolvers of 441, 455 or any intermediate bore (and ammunition which can be fired from a rifle of 303 or of 450 bore or from a pistol or revolver of 441, 455 or any intermediate bore) not lawfully imported into the areas to which these Rules apply,</p> <p>(e) machinery for the manufacture of arms or ammunition, and</p> <p>(f) appliances the object of which is the silencing of firearms.</p> <p>Do.</p>	<p>The arms or ammunition carried or possessed by any person herein exempted shall be of such description only and shall not exceed such quantities, if any, as the Resident may declare to be reasonable for such person to carry or possess.</p> <p>Do.</p>	<p>Those contained in sections 8 and 9—<i>contd.</i></p>

## SCHEDULE II.

### ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

(See Rule 3.)

Within the areas specified in the first column of the subjoined table, the arms, ammunition and military stores described in the second column are excluded from the operation of such prohibitions and directions contained in the Law as are indicated in the third column.

*The Table.*

Area.	Arms, ammunition or military stores.	Prohibitions and directions.
The Hyderabad Residency Bazzars and the Cantonments of Aurangabad and Secunderabad.	<p>1. All arms except—</p> <ul style="list-style-type: none"> <li>(a) cannon,</li> <li>(b) firearms,</li> <li>(c) air guns and air pistols,</li> <li>(d) articles designed for torpedo service,</li> <li>(e) war rockets,</li> <li>(f) machinery for the manufacture of arms, and</li> <li>(g) appliances the object of which is the silencing of firearms;</li> </ul> <p>Provided that the exceptions in respect of cannon, firearms, air guns and air pistols shall not apply—</p> <ul style="list-style-type: none"> <li>(a) to cannon and firearms which are obsolete and unserviceable and of purely antiquarian value or which are in the possession of a regiment or military mess as trophies or curiosities or otherwise solely for purposes of ornament or display, or</li> <li>(b) to toy cannon, weighing less than 56 lbs. and having <ul style="list-style-type: none"> <li>(i) a calibre of less than one inch,</li> <li>(ii) a length of bore of less than 24 inches, and</li> <li>(iii) the interior of the bore unrifled, or</li> </ul> </li> <li>(c) to air guns or air pistols which satisfy the following test, namely, that projectiles discharged from such guns or pistols do not perforate a target 12 inches square formed by five straw-boards of foolscap size, each board being 3-64ths of an inch thick and closely held together in a frame.</li> </ul>	<p>All; provided that the Resident may, by notification in the local official Gazette, retain all or any of the prohibitions and directions contained in the Law in respect of any arms in the case of any class of persons or of any specified area.</p> <p>All; provided that the Resident may, by notification in the local official Gazette, retain all or any of the prohibitions and directions contained in the Law in respect of air guns or air pistols or of any class thereof in the case of any class of persons or of any specified area.</p>

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Area.	Arms, ammunition or military stores.	Prohibitions and directions.
	<p><i>Explanation</i> —In making and estimating the test the following conditions shall be observed, namely :—</p> <p>(1) the gun or pistol shall be held horizontally with the muzzle at a distance of five feet from the target,</p> <p>(2) the test shall be repeated twenty times for each class of projectile which can be discharged from the gun, or pistol, and</p> <p>(3) perforation shall be deemed to be effected in a case where the projectile is a dart, if the point of the dart pierces the back of the target and in any other case if the projectile passes completely through the back of the target.</p> <p>2. Sights for rifles imported for the use of, or for sale to, the persons enumerated in entry 8 of Schedule I to the Indian Arms Rules, 1924, or non-commissioned officers and soldiers of His Majesty's regular forces on a written permit from the officer commanding the regiment to which they belong.</p> <p>3. Explosives made in small quantities for the purpose of chemical experiment and not for practical use or for sale, and</p> <p>the following classes of explosives when intended <i>bond fide</i> for private blasting purposes :—</p> <p>(1) gunpowder in any quantity not exceeding 30 pounds,</p> <p>(2) cartridges made with gunpowder and not containing their own means of ignition, and containing in all not more than 30 pounds of gun powder.</p> <p>(3) percussion caps,</p> <p>(4) safety fuses.</p> <p>4. All arms, ammunition, and military stores brought into the Hyderabad Residency Bazaars and the Cantonments of Secunderabad and Aurangabad from the areas of the Hyderabad State directly administered by His Exalted Highness the Nizam, except through the medium of the Post Office</p> <p>5. All arms, ammunition, and military stores taken out of the Hyderabad Residency Bazaars or the Cantonments of Secunderabad and Aurangabad into the areas of the Hyderabad State directly administered by His Exalted Highness the Nizam.</p> <p>6. Gun wads and wire cartridges . . . . .</p> <p>7. Lead required <i>bond fide</i> for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shot) up to any quantity.</p> <p>8. Lead bullets and bird-shot in quantity not exceeding such limits as the Resident may fix.</p> <p>9. Saltpetre . . . . .</p> <p>10. Sulphur in quantities not exceeding such limits as the Resident may fix.</p>	<p>ALL.</p> <p>Those contained in sections 4 and 9.</p> <p>Those contained in section 9.</p> <p>Those contained in section 5.</p> <p>Ditto.</p> <p>Those contained in section 5.</p> <p>ALL.</p> <p>ALL.</p> <p>ALL.</p> <p>ALL.</p>

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 737  
under Local Laws.)

### SCHEDULE III.

FORM I.

[See Rule 6 (1) (a).]

**FEE—TWENTY RUPEES.**

*Licence to manufacture, convert, sell, or keep for sale, arms, ammunition, or military stores (other than breech-loading rifles, parts of breech-loading rifles, rifle ammunition, or military stores for rifles).*

Serial No. of licence.	Name, de- scription, and residence of licensee and of duly autho- rised Agent, or Agents, if any.	Place of business, factory, or shop.	DESCRIPTION AND NUMBER OF ARMS		DESCRIPTION AND QUANTITY OF AMMU- NITION OR MILITARY STORES.		Date on which the licence ex- pires.
			To be manufac- tured or converted.	To be sold or kept for sale	To be manufac- tured	To be sold or kept for sale.	
1	2	3	4	5	6	7	8
							The 31st Dec- ember 19 .

(Signature.)

*District Magistrate.*

*The*

19 .

*Form for renewal of the licence.*

[illegible]

*Conditions.*

1. This licence is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the Hyderabad Residency Arms Rules, 1929.

2. The licensee shall maintain registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales, in such form as the Resident may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any police officer of a rank not below that of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory, or shop a signboard on which shall be painted in large letters in English his name and the words "Licensed to manufacture (or "Licensed to deal in" as the case may be) arms, ammunition, and military stores."

(2) He shall also affix in his place of business, factory or shop a copy of section 22 of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, in English.

5. Save with the express permission of the Resident, he shall not sell arms, ammunition or military stores to any person who—

(a) is not licensed to possess such arms, ammunition or military stores, or

(b) is not exempted under entry 1 or 2 of Schedule I, to the Hyderabad Residency Arms Rules, 1929, from the operation of sections 8 and 9 of the Law.

6. He shall at the time of purchase of arms or ammunition for rifles other than .22 bore, revolvers or pistols, endorse upon the licence of every purchaser holding a license in Form VIII—

(a) the name, description, and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

7. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

8. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the Resident may direct.

9. He shall not sell to any person licensed to possess or carry arms, ammunition in excess of the maximum which may be fixed by the Resident for such person and which is endorsed on such person's licence.

10. He shall not sell arms, ammunition, or military stores elsewhere than at the place of business, factory, or shop specified in column 3.

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 739  
under Local Laws.)**

11. He shall not sell arms, ammunition, or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

12. He shall not keep Government arms, ammunition, or military stores, or, unless he is specially authorised in this behalf by the Resident, keep or sell revolvers manufactured out of India or magazine pistols.

*Explanation.*—For the purposes of this condition—

- (a) "Government arm" means a firearm or other weapon which is the property of the Government of India or of His Exalted Highness the Nizam; and
- (b) "Government ammunition" and "Government military stores," mean respectively, ammunition and military stores manufactured in any Government factory or prepared for and supplied to the Government of India or of His Exalted Highness the Nizam.

13. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition, or military stores covered by the licence.

**FORM II.**

[See Rule 6 (I) (b).]

**FEE—TEN RUPEES.**

*Licence to sell and keep for sale, arms, ammunition or military stores (other than breech-loading rifles, parts of breech-loading rifles, rifle ammunition or military stores for rifles).*

Serial No. of license.	Name, description and residence of licensee and of duly authorised Agent or Agents, if any.	Place of business or shop.	Descrip- tion and number of Arms.	Description and quantity of Ammunition or military stores.	Date on which the licence expires.
1	2	3	4	5	6
					The 31st December 19 .

}



(Signature.)

The

19 .

District Magistrate.

*Form for renewal of the licence.*

Date and year of renewal	Date on which the renewed licence expires.	Signature of the officer renewing the licence.

*Conditions.*

1. This licence is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the Hyderabad Residency Arms Rules, 1929.

2. The licensee shall maintain registers of all arms, ammunition, and military stores in stock, and of all sales, in such form as the Resident may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any police officer of a rank not below that of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business or shop a signboard, on which shall be painted in large letters in English his name and the words "Licensed to deal in arms, ammunition, and military stores."

(2) He shall also affix in his place of business or shop a copy of section 22 of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, in English.

5. Save with the express permission of the Resident, he shall not sell arms, ammunition, or military stores to any person who—

(a) is not licensed to possess such arms, ammunition, or military stores, or

(b) is not exempted under entry 1 or 2 of Schedule I, to the Hyderabad Residency Arms Rules, 1929, from the operation of sections 8 and 9 of the Law.



6. He shall at the time of purchase of arms or ammunition for rifles other than .22 bore, revolvers or pistols, endorse upon the licence of every purchaser holding a licence in Form VIII—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

7. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

8. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the Resident may direct.

9. He shall not sell to any person licensed to possess or carry arms, ammunition in excess of the maximum which may be fixed by the Resident for such person and which is endorsed on such person's licence.

10. He shall not sell arms, ammunition, or military stores elsewhere than at the place of business, factory or shop specified in column 3.

11. He shall not sell arms, ammunition, or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

12. He shall not keep Government arms, ammunition, or military stores, or, unless he is specially authorised in this behalf by the Resident, keep or sell revolvers manufactured out of India or magazine pistols.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a fire arm or other weapon which is the property of the Government of India or of His Exalted Highness the Nizam; and

(b) "Government ammunition" and "Government military stores" mean respectively, ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government of India or of His Exalted Highness the Nizam.

13. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the licence.

FORM III.

[See Rule 6 (2) (a).]

**FEE—**

- (a) WHERE THE LICENSEE HOLDS A LICENCE IN FORM I, FREE OF ALL CHARGE;
- (b) IN ALL OTHER CASES, TWENTY RUPEES.

*Licence to manufacture, convert, sell, or keep for sale breech-loading rifles, parts of breech-loading rifles, rifle ammunition, or military stores for rifles.*

Serial No. of Licence.	Name, description, and residence of licensee, and of duly authorised Agent, or Agents, if any.	Place of business, factory, or shop.	Description and number of arms.		Description and quantity of ammunition or Military stores		Date on which the licence expires.
			To be manufac- tured or converted.	To be sold or kept for sale.	To be manufac- tured.	To be sold or kept for sale.	
1	2	3	4	5	6	7	8
							The 31st December 19 .

*The* 19 }  (Signature.)  
*Secretary to the Resident.*

*Form for renewal of the licence.*

[illegible]

*Conditions.*

1. This licence is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the Hyderabad Residency Arms Rules, 1929.

2. The licensee shall maintain registers of all arms, ammunition and military stores in stock, and of all sales, in such form as the Resident may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any police officer of a rank not below that of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory, or shop a signboard, on which shall be painted in large letters in English his name and the words "Licensed to deal in breech-loading rifles, parts of breech-loading rifles, rifle ammunition and military stores for rifles."

(2) He shall also affix in his place of business, factory, or shop a copy of section 22 of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, in English.

5. Save with the express permission of the Resident, he shall not sell arms, ammunition or military stores to any person who—

(a) is not licensed to possess such arms, ammunition, or military stores, or

(b) is not exempted under entry 1 or 2 of Schedule I to the Hyderabad Residency Arms Rules, 1929, from the operation of sections 8 and 9 of the Law.

6. He shall at the time of purchase of arms or ammunition for rifles other than .22 bore, revolvers or pistols, endorse upon the licence of every purchaser holding a licence in Form VIII—

(a) the name, description, and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

7. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

8. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the Resident may direct.

9. He shall not sell breech-loading rifles, parts of breech-loading rifles, rifle ammunition or military stores for rifles elsewhere than at the place of business, factory, or shop specified in column 3.

10. He shall not keep Government arms, ammunition, or military stores.

*Explanation.*—For the purposes of this condition—

- (a) “ Government arm ” means a firearm or other weapon which is the property of the Government of India or of His Exalted Highness the Nizam; and
- (b) “ Government ammunition ” and “ Government military stores ” mean respectively ammunition and military stores manufactured in any Government factory or prepared for and supplied to the Government of India or of His Exalted Highness the Nizam.

11. He shall not sell arms, ammunition, or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

12. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition, or military stores covered by the licence.

FORM IV.

[See Rule 6 (2) (b).]

**FEE—**

- (a) WHERE THE LICENSEE ALREADY HOLDS A LICENCE IN FORM II, FREE OF ALL CHARGE;
- (b) IN ALL OTHER CASES, TEN RUPEES.

*Licence to sell and keep for sale breech-loading rifles, parts of breech-loading rifles, rifle ammunition, or military stores for rifles.*

Serial No. of licence.	Name, description, and residence of licensee and of duly authorised Agent or Agents, if any.	Place of business or shop.	Description and number of arms.	Description and quantity of Ammunition or military stores.	Date on which the licence expires.
1	2	3	4	5	6
					The 31st December 19 .

(Signature.)

Seal.

Secretary to the Resident.

The

19 .

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 745  
under Local Laws.)**

*Form for renewal of the licence.*

Date and year of renewal.	Date on which the renewed licence expires.	Signature of the Secretary to the Resident.

*Conditions.*

1. This licence is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the Hyderabad Residency Arms Rules, 1929.

2. The licensee shall maintain registers of all arms, ammunition, and military stores in stock and of all sales, in such form as the Resident may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any police officer of a rank not below that of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business or shop a signboard on which shall be painted in large letters in English his name and the words "Licensed to deal in breech-loading rifles, parts of breech-loading rifles, rifle ammunition and military stores for rifles."

(2) He shall also affix in his place of business or shop a copy of section 22 of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, in English.

5. Save with the express permission of the Resident, he shall not sell arms, ammunition or military stores to any person who—

(a) is not licensed to possess such arms, ammunition, or military stores, or

- (b) is not exempted under entry 1 or 2 of Schedule I to the Hyderabad Residency Arms Rules, 1929, from the operation of sections 8 and 9 of the Law.

6. He shall at the time of purchase of arms or ammunition for rifles other than .22 bore, revolvers or pistols endorse upon the licence of every purchaser holding a licence in Form VIII—

- (a) the name, description, and residence of the person who takes delivery of the articles sold,
- (b) the nature and quantity of the articles sold, and
- (c) the date of sale,

and shall sign the endorsement.

7. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

8. He shall give information of all sales of arms, ammunition, and military stores to such person and in such manner as the Resident may direct.

9. He shall not sell arms, ammunition, or military stores elsewhere than at the place of business or shop specified in column 3.

10. He shall not keep Government arms, ammunition or military stores.

*Explanation.*—For the purposes of this condition—

- (a) “Government arm” means a firearm or other weapon which is the property of the Government of India or of His Exalted Highness the Nizam; and
- (b) “Government ammunition” and “Government military stores” mean respectively ammunition and military stores manufactured in any Government factory or prepared for and supplied to the Government of India or of His Exalted Highness the Nizam.

11. He shall not sell arms, ammunition, or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

12. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition, or military stores covered by the licence.

**ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 747  
under Local Laws.)**

**FORM V.**  
(See Rule 7.)

**FREE OF ALL FEE.**

*Licence for the possession by holders of licences in Form I, II, III or IV of firearms and ammunition deposited by their owners for safe keeping.*

Name, description and residence of licensee and of duly authorised Agent or Agents, if any.	Description of firearms and ammunition.	Place (with description) where articles are to be kept.	Period for which the licence is valid.
1	2	3	4



(Signature.)

*District Magistrate.*

*The*

*19 .*

*Conditions.*

1. This licence is granted subject to all the provisions of the Hyderabad Residency Bazaars and Cantonments Arms Law, 1903, and the Hyderabad Residency Arms Rules, 1929.

2. It covers only firearms and ammunition of the description given in column 2 so long as they are kept in the place described in column 3 but does not authorise the licensee—

(i) to go armed, or

(ii) to keep Government arms or ammunition.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a fire arm which is the property of the Government of India or of His Exalted Highness the Nizam,





*Conditions.*

1. This licence is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and of the Hyderabad Residency Arms Rules, 1929.

2. It covers only the arms, ammunition and stores specified in columns 2, 3 and 4 so long as they are kept in the place described in column 5, but does not authorise the licensee—

(i) to go armed, or

(ii) to keep Government arms, ammunition or military stores.

*Explanation.*—For the purposes of this condition—

(a) “ Government arm ” means a fire arm or other weapon which is the property of the Government of India or of His Exalted Highness the Nizam.

(b) “ Government ammunition ” and “ Government military stores ” mean respectively, ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government of India or of His Exalted Highness the Nizam.

3. Condition 2 (ii) may be cancelled by the authority granting the licence, if empowered to do so by the Resident, and an endorsement added showing the Government arms, ammunition and military stores which the licensee is authorised to possess.

4. The licensee shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the licence.

5. The authority granting or renewing the licence has the right to inquire at any time during the currency of the licence, whether the weapon for which it has been granted is still in the possession of the licensee, and may require the production of the weapon for the purpose of such an inquiry.

NOTE (1)—A licence in this form may be granted for any period not exceeding three years.

NOTE (2)—Licensees are warned that in case they sell any arms or ammunition or military stores covered by the licences possessed by them to any person (other than a person exempted under section 21 of the Law) they are required to give notice forthwith of the sale together with particulars as to the name and address of the purchaser to the Magistrate of the district or to the officer in charge of the nearest police station. Failure to give notice as required above is punishable with imprisonment for a term which may extend to three years or with fine, or with both.

750 ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders under Local Laws.)

FORM VII.

(See Rule 10.)

FEE—

- (a) for each breech-loading pistol or revolver—Ten Rupees;
- (b) for any other breech-loading weapon—Five Rupees;
- (c) for other weapons—Eight Annas for each weapon.

The abovementioned fees are for licences granted for periods of one year or less. A licence in this Form may be granted for any period exceeding one year and not exceeding three years, in which case a compounded fee shall be levied.

*Licence for the possession and use, for the purpose of target practice, of firearms and ammunition.*

Serial No. of licence.	Name, description and location of mess, club or association.	Arms or ammunition that licensee is entitled to possess.		Place within which the licence is valid.	Date on which the licence expires.
		Description.	Quantity.		
1	2	3	4	5	6



(Signature.)

*District Magistrate.*

The

of

19 .

*Conditions.*

1. This licence is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and of the Hyderabad Residency Arms Rules, 1929.

2. It covers only the mess, club or association named and the arms and ammunition described therein.

3. The mess, club or association, at the time of purchasing any new arms and ammunition for rifles other than .22 bore, revolvers or pistols shall cause the following particulars to be endorsed upon its licence under the vendor's signature, namely,—

(a) the name, description and residence of the person who takes delivery of the articles purchased on behalf of the mess, club or association;

(b) the nature and quantity of the articles purchased; and

(c) the date of purchase;

and if the arms or ammunition are purchased from any person other than a licenced dealer shall also cause the particulars specified in clauses (b) and (c) to be furnished in writing to the authority who granted this licence within such period as may be prescribed by that authority for this purpose.

4. The mess, club or association shall not purchase ammunition in excess of the maximum which may, from time to time, be fixed by the Resident.

5. The mess, club or association shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the licence.

6. The licence does not authorise any member of the mess, club or association to keep Government arms or ammunition.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a fire arm or other weapon which is the property of the Government of India or of His Exalted Highness the Nizam;

(b) "Government ammunition" means ammunition manufactured in a Government factory or prepared for and supplied to the Government of India or of His Exalted Highness the Nizam.

7. The Resident may require any fire arm or ammunition possessed by the mess, club or association to be registered in such manner as he thinks fit.

8. The authority granting or renewing the licence has the right to inquire at any time during the currency of the licence whether the weapons for which it has been granted are still in the possession of the mess, club or association and to require the production of such weapons for the purposes of such inquiry.

NOTE.—Licensees are warned that in case they sell any arms or ammunition covered by the licences possessed by them to any person (other than a person exempted under section 21 of the Law) they are required to give notice forthwith of the sale together with particulars as to the name and address of the purchaser to the Magistrate of the district or to the officer in charge of the nearest police station. Failure to give notice as required above is punishable with imprisonment for a term which may extend to three years or with fine, or with both.

### FORM VIII.

(See Rule 11.)

#### FEE—

- I. (i) for a breech-loading pistol or revolver, Ten Rupees;
- (ii) for any other breech-loading weapon, Five Rupees;
- (iii) for other weapons Eight Annas for each weapon.

II. The abovementioned fees are payable in respect of licences granted for the first time for periods of one year or less. Should the licence be renewed for a further period, and unless the licence is free of all fee, the following fees shall be payable in respect of each renewal for a period of one year or less, namely:—

- (i) for breech-loading pistol or revolver, Five Rupees;
- (ii) for any other breech-loading weapon, Two Rupees and Annas Eight;
- (iii) for other weapons, Four Annas: provided that in such cases application for renewal is made within one month of the date on which the licence expires and if application is not made within that period, the licensing authority may, in his discretion, levy fees at the original rate.

III. A licence in this form may be granted or renewed for any period not exceeding three years, and if the period for which a licence is granted or renewed exceeds one year, the fee shall, subject to the proviso to paragraph II, be levied at the annual rates hereinbefore prescribed for grant or renewal, as the case may be.

IV. No fee shall be charged for the licence granted for ammunition of the kind referred to in Rule 11, Proviso (ii).

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 753  
under Local Laws.)

*Licence for the possession of arms and ammunition and for going armed  
for the purpose of <sup>sport</sup> protection.  
display*

Serial No. of licence.	Name, description and residence of licensee and agent, if any.	Arms or ammunition that licensee is entitled to possess.		Retainers (if any) covered by the licence.			Arms or Ammunition that retainer is entitled to possess.		Area within which the licence is valid.	Date on which licence expires.
		Brief description of each weapon with details, e.g., distinguishing marks, register No., etc.	Quantity and description of each kind of ammunition.	Name of retainer.	Name of retainer's father.	Address of retainer.	As in column 3.	As in column 4.		
1	2	3	4	5	6	7	8	9	10	11

(Signature.)

*District Magistrate.*

*Form of renewal of licence.*

Date and year.	Date on which renewed licence expires.	Signature.
		<div data-bbox="703 408 812 519" data-label="Image"> </div> <div data-bbox="707 611 951 647" data-label="Text"> <p><i>District Magistrate.</i></p> </div>
		<div data-bbox="708 792 823 903" data-label="Image"> </div> <div data-bbox="718 992 958 1026" data-label="Text"> <p><i>District Magistrate.</i></p> </div>

*Conditions.*

1. This licence is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the Hyderabad Residency Arms Rules, 1929.

2. It covers only the persons named and the arms and ammunition described therein and such retainers, if any, as may be entered in column 5.

3. This licence is valid to the extent specified in column 10.

4. The licensee or any retainer acting under this licence shall not go armed with any arms covered thereby otherwise than in good faith for the purpose of <sup>sport</sup> protection; and, save where he is specially authorised in this behalf by the District Magistrate or by other officer empowered by the Resident to grant licences, he shall not take any such arms to a fair, religious procession or other public assemblage.

5. The licensee, at the time of purchasing any new arms, or ammunition for rifles other than .22 bore, revolvers or pistols, shall cause the following particulars to be endorsed upon his licence under the vendor's signature, namely:—

- (a) the name, description, and residence of the person who takes delivery of the articles purchased;
- (b) the nature and quantity of the articles purchased; and
- (c) the date of purchase;

and if the arms or ammunition are purchased from any person other than a licensed dealer shall also cause the particulars specified in clauses (b) and (c) to be furnished in writing to the authority who granted this licence within such period as may be prescribed for this purpose by such authority.

6. He shall not purchase ammunition for rifles other than .22 bore, revolvers and pistols in excess of the maximum which may from time to time be fixed by the Resident.

7. He shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the licence.

8. He shall not possess Government arms and ammunition.

*Explanation.*—For the purposes of this condition—

- (a) "Government arm" means a fire arm or other weapon which is the property of the Government of India or of His Exalted Highness the Nizam's Government; and
- (b) "Government ammunition" means ammunition manufactured in any Government factory or prepared for and sup-

plied to the Government of India or of His Exalted Highness the Nizam.

9. Condition 8 may be cancelled by the authority granting the licence if empowered to do so by the Resident, and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

10. When the licence is granted for the purpose of sport, the licensee or any retainer acting under the licence shall observe such close season as may be prescribed by His Exalted Highness the Nizam's Government in respect of any game-birds and animals.

11. The licensee shall report any change of his permanent residence to the authority who granted him the licence, and, in case of any such change, whether permanent or temporary, he may, at his option, apply to the nearest licensing authority for renewal of this licence should it be necessary.

12. The authority granting or renewing the licence has the right to inquire at any time during the currency of the licence whether the weapon or weapons for which it has been granted is or are still in the possession of the licensee, and to require the production of the weapon or weapons for the purposes of such inquiry.

NOTE (1).—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or to fine which may extend to Rs. 500 or with both. (Section 15 of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903.)

NOTE (2).—Licensees are warned that in case they sell any arms or ammunition covered by the licences possessed by them to any person (other than a person exempted under section 21 of the Law) they are required to give notice forthwith of the sale together with particulars as to the name and address of the purchaser to the Magistrate of the district or to the officer in charge of the nearest police station. Failure to give notice as required above is punishable with imprisonment for a term which may extend to three years or with fine, or with both.

[*Gazette of India*, 1929, Pt. I, p. 803.]

#### HYDERABAD INTOXICATING DRUGS LAW, 1918.<sup>1</sup>

*Exemption of certain medicinal preparations from the operation of the Law.*

<sup>2</sup>No. 71, dated the 30th June, 1916.—Not re-printed.

[*Hyderabad Residency Orders*, 1916, Pt. I, p. 180.]

<sup>1</sup> Printed *supra*, page 133.

<sup>2</sup> This notification (under the Hyderabad Intoxicating Drugs Law, 1915) has been amended by the following notifications:—

No. 78, dated the 24th July, 1916.—*Hyderabad Residency Orders*, 1916, Pt. I, p. 150.

No. 99, dated the 12th September, 1916.—*Hyderabad Residency Orders*, 1916, Pt. I, p. 255.

No. 110, dated the 23rd October, 1916.—*Hyderabad Residency Orders*, 1916, Pt. I, p. 332.

No. 79, dated the 21st August, 1918.—*Hyderabad Residency Orders*, 1918, Pt. I, p. 303.



<sup>1</sup>No. 61-P., dated the 17th November, 1922.—Not re-printed.

[*Hyderabad Residency Orders*, 1922, Pt. I, p. 137.]

<sup>2</sup>No. 54-P., dated the 18th September, 1924.—Not re-printed.

[*Hyderabad Residency Orders*, 1924, Pt. I, p. 157.]

### Rules.

No. 43-J., dated the 12th May, 1919.—In exercise of the powers conferred on him by section 45 of the Hyderabad Intoxicating Drugs Law, 1918,<sup>3</sup> and in supersession of the rules published in *Residency Orders* notification No. 65, dated the 21st June, 1912, the Resident is pleased to make the following rules to carry out the purposes of the said law in the Administered Areas in the Hyderabad State, namely :—

(1) District Magistrates are empowered to grant dealers and chemists the licenses and passes referred to in sections 25 and 26 of the Law.

(2) A Court fee label of the value of annas eight shall be affixed to every application made to the District Magistrate for a licence or pass under Rule 1, and for every license granted for the manufacture, possession and sale of morphia drugs, cocaine and cocaine substitutes, a fee of rupee one shall be charged in the form of a Court fee stamp. Such license shall remain in force up to the 31st December of the year in which it is granted and shall be renewable thereafter on payment of a like fee. The license shall be in the form appended to these rules and shall specify the quantity of morphia drugs, cocaine and cocaine substitutes for which it has been granted.

(3) Every applicant for a pass to import shall in the application state the amount of intoxicating drugs he has in stock.

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<sup>1</sup> See footnote 3 on page 723 *supra*.

<sup>2</sup> This notification has been amended by the following notifications :—

No. 59-P., dated the 5th August, 1925.—*Hyderabad Residency Orders*, 1925, Pt. I, p. 80.

No. 112-P., dated the 17th December, 1925.—*Hyderabad Residency Orders*, 1926, Pt. I, p. 4.

No. 23-P., dated the 12th February 1926.—*Hyderabad Residency Orders*, 1926, Pt. I, p. 26.

No. 39-P., dated the 10th April, 1926.—*Hyderabad Residency Orders*, 1926, Pt. I, p. 87.

No. 52-P., dated the 18th May, 1926.—*Hyderabad Residency Orders*, 1926, Pt. I, p. 121.

No. 82-P., dated the 27th August, 1926.—*Hyderabad Residency Orders*, 1926, Pt. I, p. 151.

No. 41-P., dated the 16th May, 1927.—*Hyderabad Residency Orders*, 1927, Pt. I, p. 72.

\* Printed *supra*, p. 133.

(4) Every dealer or chemist licensed under the Law shall maintain a written record of every sale in the following form :—

1. Name of intoxicating drug.
2. Quantity sold.
3. Date of sale.
4. Name of purchaser.
5. Address of purchaser.
6. Name and address of the Medical Practitioner on whose prescription sold.
7. Purpose for which the drug is required.
8. Signature of purchaser (or where purchaser is illiterate, his thumb impression).
9. Signature of vendor.

(5) All intoxicating drugs shall be kept in a separate locked almirah or box which shall have the words " Intoxicating Drugs " in English and vernacular painted on it in conspicuous red letters. Each small receptacle within such almirah or box shall be marked in paint with the name of the intoxicating drug contained in it and shall also have the words " Intoxicating Drugs " in English and vernacular painted upon it in red letters.

(6) A chemist or dealer licensed under the Law shall maintain in respect of each intoxicating drug a stock register which shall contain the following particulars :—

- (a) Serial Number,
- (b) Date,
- (c) Amount received,
- (d) Name and address of person from whom received,
- (e) Amount sold,
- (f) Balance in stock,
- (g) Remarks,

and shall also submit to the District Magistrate on the 1st day of January and July of each year a return showing the quantity sold during the preceding half year.

(7) Any Magistrate, or Police officer of or above the rank of a Sub-Inspector, may at any time visit and inspect any premises where intoxicating drugs are kept. He may demand the production of the license and inspect all the drugs found in the premises and also the registers maintained.

ADMINISTERED AREAS IN THE HYDERABAD STATE.—(IX.—Orders 759  
under Local Laws.)

[FEE ONE RUPEE IN COURT FEE STAMP.]

*License to manufacture, possess, and sell Morphia drugs, Cocaine and Cocaine substitutes.*

Name, and father's name of licensee and place of residence.	Place of business or shop.	Description with quantity of intoxicating drugs to be	Date on which license expires.
1	2	3	4

DISTRICT.

19 .

*District Magistrate.*

*Conditions.*

1. This license is granted subject to the provisions of the Hyderabad Intoxicating Drugs Law, 1918.

2. The licensee shall keep accounts and records of all intoxicating drugs in stock and of all sales in accordance with the Law and the rules framed thereunder.

3. All intoxicating drugs shall be kept in a separate locked almirah or box which shall have the words "Intoxicating Drugs" in English and vernacular painted on it in conspicuous red letters. Each small receptacle within such almirah or box shall be marked in paint with the name of the intoxicating drug contained in it and shall also have the words "Intoxicating Drugs" in English and vernacular painted upon it in red letters.

4. A dealer licensed under the Law may sell otherwise than on prescription—

- (a) to a dealer or chemist licensed under the Law,
- (b) to an approved practitioner,
- (c) to a person specially authorised by the District Magistrate, morphia drugs, cocaine and cocaine substitutes not exceeding the quantity which such dealer, chemist, practitioner or person may lawfully possess.

5. A chemist licensed under the Law may sell morphia drugs, cocaine and cocaine substitutes on prescription subject to the following conditions, namely:—

- (a) In such quantity and for the use of such person only as may be specified in the prescription.
- (b) If the prescription does not bear a superscription by an approved practitioner stating that it is to be repeated, and at what interval of time it is to be repeated, and how many times it is to be repeated, he shall sell once only on such prescription and shall retain the prescription provided that he shall first warn the person presenting the prescription that unless it bears such a superscription as aforesaid it will be retained.
- (c) If the prescription bears a superscription as aforesaid he shall enter on the prescription the date of sale and shall sign or seal the prescription, provided that if it appears that morphia drugs, cocaine and cocaine substitutes have already been sold on the prescription six times or such number of times as the prescription is required to be repeated or that the interval specified in the superscription has not elapsed since the prescription was last dispensed he shall not sell until it is further superscribed in that behalf by an approved practitioner.

6. In respect of sales of cocaine preparations which are imported or are manufactured in India, and of medicines containing cocaine which are made up on a prescription the amount and percentage of cocaine contained in such preparations or medicines should be clearly marked on the label.

[Hyderabad Residency Orders, 1919, Pt. I, p. 399.]



